S. Hrg. 98-1275

COLUMBIA RIVER GORGE

HEARING

BEFORE THE

SUBCOMMITTEE ON
PUBLIC LANDS AND RESERVED WATER

OF THE

COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE

NINETY-EIGHTH CONGRESS

SECOND SESSION

ON

LAND MANAGEMENT IN THE COLUMBIA RIVER GORGE

STEVENSON, WA, NOVEMBER 8, 1984

Printed for the use of the
Committee on Energy and Natural Resources

U.S. GOVERNMENT PRINTING OFFICE
45-007 O WASHINGTON : 1985

S311-35

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CONTENTS

STATEMENTS

Page
Adlard, Dick, Washington Columbia River Gorge Commission 434
Andersen, Steven B., planning director Klickitat County Planning Department, as presented by Andy Priebe, planning technician 76
Apple, Bruce, Pacific Northwest regional executive, National Wildlife Federation 172
Armour, Larry E., commissioner, Port of Skamania County, WA 553
Ash, Lowell 514
Atkins, Sherry, Columbia Gorge United 607
Bailey, Barbara, The Dalles, OR 492
Barnes, Blanche, Stevenson, WA 297
Barnes, Robert W., Home Valley 515
Benson, William V., master, Cascade Pomona Grange 519
Bird, Peggy, executive director, Pacific Northwest Waterways Association 558
Birkenfeld, William J., president and co-owner, Wind River Logging Co. 499
Bishop, Broughton H., chairman, Pendleton Woolen Mills 240
Blair, Bowen, executive director, Friends of the Columbia Gorge 386
Bledsoe, Stu, executive director, Washington Forest Protection Association 156
Boyle, Brian, Washington Commissioner of Public Lands, as presented by Jerry Gilliland 21
Brashers, Don, on behalf of Lyle, WA 242
Breckel, Jeffrey, executive director, Oregon and Washington Columbia River Gorge Commission 23
Bringloe, Anne, northwest regional vice president, Sierra Club 176
Brislawn, Ed, legislative chairman, Chapter No. 1145, American Association of Retired Persons, as presented by Sherry Esch 590
Brown, Jack R., regional director, public affairs and communications, Crown Zellerbach Corp. 149
Buchanan, Dennis, Multnomah County Executive 38
Callahan, Ed, chairman, Skamania County Board of Commissioners 39
Cannard, David L., cochairman, Friends of the Columbia Gorge 306
Canon, Jim, Friends of the Columbia Gorge 375
Chamberlain, Bob, forester, SDS Lumber Co 167
Chapin, F. Stuart, Jr., White Salmon, WA 545
Clausen, Phyllis, Vancouver, WA 521
Clock, Patrick, president, Tri-County Citizens for Fair Land Planning, Inc., as presented by Shirley Clock 551
Clock, Shirley 552
Courtney, Clifford G., Stehekin, WA 431
Cowan, Mike 430
Cowapoo, Rod, chairman of the fish and wildlife committee of the Confederated Tribes of the Umatilla Indian Reservation and member of the Columbia River Intertribal Fish Commission 134
Craft, Roy, Stevenson, WA 518
Crocker-Davis, Pam, Washington State office, National Audubon Society 254
Dafoe, Vera, former member, Oregon Columbia River Gorge Commission 444
Davis, Carroll, president, Columbia Gorge Coalition 276
Dickson, Pollard, city planner, North Bonneville, WA 115
Dunn, Jennifer, chairman, Washington State Republican Party, as presented by Madge Keys 544
Dunn, Patrick, director, Washington Department of Community Development.. 20
Esch, Sherry, Carson, WA 533

Page
Evans, Hon. Daniel J., a U.S. Senator from the State of Washington 1
Fadden, Delmar M., president, The Mountaineers 196
Fahey, Michael D., Washington Native Plant Society 181
Fant, Karen M., executive director, Washington Wilderness Coalition 484
Ferguson, Janice, Skamania County, WA 522
Fisher, John, Columbia River Cruises, Stevenson, WA, as presented by Kris Kellum 471
Fisher, John K., chairman, the Committee to Preserve Property Rights in the Columbia River Gorge 297
Frome, Michael, visiting associate professor, University of Idaho 397
Fuller, Walline, mayor, Stevenson, WA 79
Gardner, Hon. Booth, Governor-elect, State of Washington, as presented by Dave Michener 32
Garlick, Rosemary, secretary, Willard Women's Club, Willard, as presented by Vivian Fisher 518
George, Levi, member, tribal council, Confederated Tribes and Bands of the Yakima Indian Nation and the Columbia River Intertribal Fish Commission, and the vice chairman of the Yakima Indian Nation Fish and Wildlife Committee, as presented by Nathan Jim 132
Good, Vernon A. 539
Haggin, Margaret, education chair, Audubon Society of Spokane 265
Hall, Sue, director, Friends of Indian Heaven, and member, Columbia Gorge Coalition 279
Harrison, Floyd Billy, first councilman of the Kah-Malt-Pah, Mid-Columbia Band 135
Heck, Hon. Dennis, member, Washington House of Representatives, as presented by Gloria DeGroot 17
Hegewald, Mary Meg, Stevenson, WA 469
Hegewald, Rudy M., president, Skamania County Chamber of Commerce 212
Hepburn, Eldon E., Corbett, OR 603
Herring, Lynn, conservation chair Audubon Society of Portland 266
Hobson, Kenneth D., city administrator, Cascade Locks, OR 83
Holly, Fred, chairman, Klickitat County Board of Commissioners 45
Hotchkiss, Shannon, Stevenson, WA 466
Houck, Michael C., Audubon Society of Portland 261
Hovee, Eric, Economic Development Services, Vancouver, WA 495
Ike, Chief Frederick, Sr., Columbia River Indians 136
Jemtegaard, Lois, Washougal, WA 604
Jensen, Gertrude Glutsch, Portland, OR 274
Johnson, Michael G., mayor, Washougal, WA 79
Jolley, Russ, Oregon Environmental Council 184
Jolly, Donald G., Vancouver, WA 502
Jones, Jeffrey, executive vice president, Skamania County Title Co. 501
Joseph, Jim, president, Stevenson Business Association 234
Karpinski, John, secretary-treasurer, Columbia Gorge Legal Defense Fund 524
Katz, Myron B., Portland, OR 490
Kerr, Andy, associate director for conservation and education, Oregon Natural Resources Council 199
King, Hon. Joe, member, Washington House of Representatives 16
Lehman, Ethel, councilwoman, city council, Vancouver, WA 82
Leick, Robert K., Skamania County Prosecuting Attorney 58
Lethlean, Linda, Skamania County Assessor, as presented by Glenda Kimmel 66
Lindgerg, Mike, City Commissioner, Portland, OR, as presented by Ethan Seltzer 123
Lindstrom, Stephen R., Protect the Gorge Association 563
Macht, William P., commissioner, Port of Hood River, OR 102
Martin, Bessie, secretary-treasurer, Rowena Women's Club 477
McCarthy, Kate, Hood River County, OR 445
McClarney, Edward L., Jr., Stevenson, WA 468
McHugh, Paul, chairman, land use/property rights subcommittee, legislative committee, Washington Association of Realtors 219
Merson, Alan, Washington Environmental Council 186
Miller, Bobbie, Rowena Extension Club 472
Mills, Jack, commissioner-elect, Hood River County, OR 75
Misner, Marilyn, past president, Stabler Community Council, Carson, WA 473
Montchalin, Yvonne, Friends of the Columbia Gorge 374
Morasch, Ralph, Stevenson, WA 468
Neely, Pearl, Skamania County Chamber of Commerce 215

Page

Neuburger, Carl A., president, Citizens for Better Highways, Inc 510
Nichols, Rodger, Committee to Preserve Property Rights, Friends of the Willamette Valley 302
O'Neill, Barbara, Friends of Indian Heaven and Columbia Gorge Coalition 284
Packwood, Hon. Bob, a U.S. Senator from the State of Oregon 5
Palmer, Glenn, commissioner, Hood River County Board of Commissioners 46
Pitts, Roberta, Stehekin, WA 430
Price, Tom 591
Roberts, Jo, The Mountaineers 194
Robertson, Ed, Clark County, WA, as presented by Virginia Cannard 523
Robinson, Bob, Gorge Defense League 425
Robinson, Lee, vice president, timber operations, Longview Fibre Co 141
Royce, Carol 303
Rutz, Dr. Richard, second vice president, Seattle Audubon Society 257
Schwartz, Dr. C. Bruce, Columbia Gorge Coalition 284
Skousen, Joel 405
Smith, Claude, Sr., member of the fish and wildlife committee of the Confederated Tribes of the Warm Springs Reservation of Oregon and the Columbia River Intertribal Fish Commission 134
Smith, Esson H., secretary-treasurer, Columbia Gorge United 406
Stahl, Andy, staff forester, National Wildlife Federation 266
Straub, Hon. Bob, past Governor, State of Oregon 381
Sutherland, Hon. Dean, member, Washington House of Representatives, as presented by Pearl Neely 18
Swyers, Rita, director, board of directors, Hood River Chamber of Commerce and member, Oregon Women for Agriculture, Hood River, OR 244
Teitzel, David L., Gorge Defense League 427
Upson, U.L. "Larry," Underwood, WA 593
Vandenberg, Harold, Skamania County, WA, commissioner-elect 67
Vandervalk, Barbara, Rowena Women's Club 475
Vasbinder, Gerald A., Columbia Gorge United 411
Weidlich, Louise, director, Neighborhoods Protective Association 605
White, Dennis A., Columbia Gorge Coalition 288
Williams, Chuck, Columbia Gorge Coalition 292
Wilson, George, vice chairman, Home Valley Community Council 480
Wood, Erskine B., Vancouver, WA 528
Wrabek, Joseph T., executive director, Columbia Gorge United 412
Wyers, Lucile, Stevenson, WA 289
Zimmerman, Hon. Hal, State senator, State of Washington 13

APPENDIX

Additional material submitted for the record 609

COLUMBIA RIVER GORGE

THURSDAY, NOVEMBER 8, 1984

U.S. SENATE,
SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Stevenson, WA.

The subcommittee met, pursuant to notice, at the Skamania County Recreation Center, Stevenson, WA, Hon. Daniel J. Evans presiding.

Present: Senator Evans.

Also present: Tony Bevinetto, professional staff member; and Linda Mason, professional staff member for the minority.

Senator EVANS. This hearing will please come to order. Before we begin the testimony, I'm pleased to recognize Boy Scout Troop No. 321 from Stevenson, WA, to present the colors.

[Presentation of colors and Pledge of Allegiance.]

OPENING STATEMENT OF HON. DANIEL J. EVANS, A U.S. SENATOR FROM THE STATE OF WASHINGTON

Senator EVANS. Welcome to all of you on this lovely fall morning in Washington State. I can only tell you as a lifelong Washingtonian who has at least for part of the year now been banished to Washington, DC, for duty, it's fun to be back home.

Let me begin this morning with some ground rules, and also some history of the gorge and proposed gorge legislation. Then we'll be prepared for your testimony.

As you all know, this is a hearing of the Public Lands and Reserved Water Subcommittee of the Senate Committee on Energy and Natural Resources. The subcommittee will receive testimony on the management by Federal and non-Federal entities of land within the Columbia River Gorge in the States of Oregon and Washington, and the possible need for Federal legislation to protect scenic, natural, cultural and other resource values in the Columbia River Gorge.

The Columbia Gorge has for many years been recognized as a nationally significant resource. As early as 1937, the Columbia Gorge Committee of the Northwest Regional Planning Commission recognized the danger of uncontrolled development on the gorge. During the last session of Congress, attempts were made to enact Federal legislation to regulate development of the gorge area. On March 1, 1983, Senator Packwood introduced S. 627, the Columbia River Gorge National Scenic Area Act of 1983. S. 627 would establish a National Scenic Area in the gorge to be administered by the U.S. Forest Service. The Forest Service, with the advise of a regional commission comprised of representatives of Washington and Oregon counties within the gorge, members appointed by the Governors of Washington and Oregon, and the Secretary of Agriculture, would develop a management plan for the gorge. The plan would designate certain critical lands within the gorge and provide guidelines for private development and possible acquisition by the Federal Government.

On August 4, 1983, at the request of Governor Spellman of Washington and Governor Atiyeh of Oregon, Senator Gorton announced his intention to introduce an amendment to S. 627, which would establish a management commission comprised of elected officials from Washington and Oregon counties and members at large from both States. The commission would develop a management plan and designate critical lands, but would exempt commercial forestlands and areas where development had already occurred. On August 4, 1983, Congressman Wyden introduced similar legislation in the House of Representatives. On March 25, 1983, Senator Hatfield held a field hearing on S. 627 in Portland, OR. In September of this year I received permission from Senator McClure, Chairman of the Senate Energy and Natural Resources Committee, to conduct this field hearing before the committee on the issue of land management in the Columbia Gorge.

The gorge is a unique national and regional asset unmatched anywhere in the Nation. But is also an area of homes, communities and citizens whose concerns must be recognized. The initiative of the Governors of Oregon and Washington, together with the cooperation of local governments, should represent the prime effort for preservation of the gorge. Only if this effort falters should the Federal Government consider legislation to ensure protection of this unique natural resource. In the meantime, I will provide appropriate support to help the two States achieve their preservation objectives for the Columbia Gorge.

I'm aware of the important regional and national implications of Columbia Gorge management controversies. Consequently, I will study this matter carefully before making any decisions. I welcome your participation in this hearing process on this significant legislation.

This hearing, we must understand, is not directed or concerned with any specific legislation. As of the adjournment of the 98th Congress and the elections which just took place this Tuesday, we start with a clean slate with the 99th Congress which will come into session on January 3, 1985. We will be subject to new bills and potentially new approaches.

I know that this issue has and will generate controversy. I know there are no easy solutions. As your can see, today we have an extensive witness list, and that's the understatement of the day. While we are obviously pleased with such a large turnout, and I am personally pleased, I'm sure you can appreciate the need to limit oral testimony. We will attempt to limit testimony to 3 minutes so that all witnesses can have a chance to express their views. And, please, I must ask that all of you withhold applause and comments, it just cuts into time and it's not appropriate at a congressional hearing.

The hearing record will remain open until November 23, 1984. This will give an opportunity for those who have not completed written statement or have additional information to suggest to be included in the hearing record. Any additional maps or materials you may wish to provide will be retained in the subcommittee's files for future use. If you do not make an oral statement, you still may submit one copy of any written statement or materials to my office in Seattle or to the subcommittee's office in Washington, DC.

Let me emphasize from the beginning we will be best served by whatever written materials you are able to provide, either now or between now and the time the hearing record closes. Oral testimony, of course, is helpful. The questions I'll have an opportunity to ask may get us better information. But we cannot just have repetition during the day. It does not add to what we're seeking. If you hear the points you're planning to make addressed by earlier speakers, for heaven's sakes, try not to repeat them. In fact, you can associate yourself with a previous statement, and that will help, but I'm seeking new ideas. I want a new idea. A new idea that particularly proves to be appropriate and helpful is worth far more in my view than 100 repetitions just attempting to show numbers. This is not a numbers game. We're not taking a vote. We are trying to elicit information on which to make decisions as to, first, whether to introduce any legislation; second, if legislation is to be introduced, what kind and shape should it take.

There will be a printed record of the hearing. If you'd like to obtain a copy, please fill our a self-addressed sticker at the table that's just outside in the lobby. At any time during the day you can do that, and a copy will be sent to you. I will take several months before the hearing record has been compiled, edited, and printed.

Witnesses are asked to please hold on to your written testimony until your panel is called to the witness table. If you don't know the order in which you're testifying, you can see the staff for a copy of the witness list or look at the one posted in the hall. We have reserved seats in front for the panel that is next up. If you will continue to move up as your panel is called. As far as witnesses are concerned the hearing is organized like a baseball game: you've got at bat, on deck and in the hole.

With that, I think we ought to get right at it. It will be my intent to run as long as we can. Those of you who have looked at the witness list know we have had 200 people sign up to testify. At 3 minutes apiece and with no time for any questions, that in itself will take 9 hours. So, I would hope that during the day, as you hear testimony given that is essentially your opinion, that you would be willing to indicate that, and perhap not then require oral testimony but submit written testimony, which after all is going to be the best record that we are going to have. It's the written testimony which will be the basis for our decisions later on.

With that, let me begin first by expressing Senator Gorton's interest in this. I've talked with him very recently, as recently as yesterday, about his interest in the Columbia Gorge. He wishes he could be here. But, we're finding that this is a time when virtually every Member of Congress is engaged in individual investigation or hearings of one kind or another, and we have to spread ourselves pretty thin. Creigh Agnew, a member of Senator Gorton's staff, is down in front, with special responsibility for environmental concerns. If anyone has a particular interest in getting something directly to Senator Gorton, I'm sure Creigh would be delighted to carry that.

Next, let me read a statement from my colleague, Senator Packwood, whom I talked with just yesterday. He expressed his regret that he could not be with you. Let me read his statement.

Senator EVANS [reading]:

> I regret that I'm not able to be with you in Stevenson today to personally deliver my testimony. I appreciate your making sure my views are entered into the Committee's formal record.
>
> My commitment to the protection of the Columbia River Gorge is deep and personal. During both the 97th Congress and the 98th Congress I sponsored legislation for that purpose. I will persist in my efforts to ensure establishment of a National Scenic Area in the Gorge.
>
> But, time to achieve this goal is running short. We are in danger of losing to short-sighted development pressures the very quality of the Gorge that we all seek to preserve for future generations.
>
> In our efforts to achieve this end, we will be aiming to strike a balance between local interests and broader national interests. Your hearings here today will help to focus this vital dialogue toward a final resolution of remaining concerns.
>
> Please convey my thanks to the members of the Energy and Natural Resources Committee. I look forward to moving ahead with you to resolve the question of how best to protect the Columbia River Gorge.

That's signed by Senator Bob Packwood from Oregon, and his testimony, Tony, if you will, will be associated with that.

[The prepared statement of Senator Packwood follows:]

November 6, 1984

STATEMENT OF THE HONORABLE BOB PACKWOOD
U.S. SENATOR FROM THE STATE OF OREGON

This country has a history of protecting natural areas of national significance. Our first national park, Yellowstone, was established in 1872 during the Republican Administration of Ulysses S. Grant. We owe a great deal to early conservationists who had the foresight to protect these areas. But we cannot stop with just appreciating what our forebearers have done. We have a responsibility to continue that tradition.

Obviously, the Columbia River Gorge is not as pristine as Yellowstone was in 1872. It is a mix of public and private lands, with more than 50 local, state, and federal governmental entities. This makes preservation of the Gorge a difficult but exciting challenge.

Under the legislation Senator Hatfield and I have proposed, S. 627, the Columbia River Gorge would become the first area in the United States to receive National Scenic Area status, a designation which may set an important precedent. The National Scenic Area concept may become an increasingly effective way of protecting nationally significant areas already containing a mixture of public and private ownership.

The form of management I have proposed for the Gorge utilizes concepts that have been incorporated in the plans of several similar areas which include mixed land uses. In 1961, the Cape Cod National Seashore was established as a unit of the National Park Service. Local zoning standards consistent with protection of the National Seashore were developed by the communities and then approved by the Secretary of Interior. In the Northwest, Idaho's Sawtooth National Recreation Area, which is managed by the Forest Service, contains more than 24,000 acres of private land. Here too Congress authorized the federal government to promulgate federal land use regulations for private lands. The Santa Monica (California) Mountains National Recreation Area is another mixture of public and private lands managed by the federal government.

I am convinced that the Columbia River Gorge deserves federal protection similar to that occurring in these other areas. What we want to avoid is the disaster that occurred at Lake Tahoe, when between 1971 and 1977 a bi-state commission approved 96% of the development proposals presented to it. Currently, the management plan designed by the Tahoe Regional Planning Agency is tied up in a court challenge because of the inadequate environmental protection it provides. A court-ordered moratorium has been placed on future development until the plan is modified.

Many have argued that local interests will protect the Columbia River Gorge. History shows us that such protection may be very long in coming. Since 1937, Oregon and Washington have been talking about developing a management plan for the Gorge. Forty-seven years have passed -- without results. Skamania County has no zoning ordinance to protect its sensitive land along the Gorge; several major housing developments have been approved.

The extent of short platting and subdivisions is well documented in studies done by the Columbia Gorge Commission. This kind of creeping development in the Gorge merits our immediate attention. Let me tell you about several of these proposals, which have been consistently approved by local governments.

In Skamania County, Hidden Harbor, an 83-lot development, is currently involved in litigation. The picturesque Cape Horn is already blemished by suburbanization. The well-publicized development of George Rizor's property was stopped only when The Trust for Public Land (TPL), a private non-profit land acquisition organization, bought the property.

Another area that is currently threatened by suburbanization is Burdoin Mountain. A 120-acre subdivision has been approved by the Klickitat County Commission and homes are already being built. The County's scenic overlay management protection plan was simply waived by the County Commission, thereby authorizing the development to proceed.

In Clark County, the industrial development of the valuable Steigerwald Wetland area was initially approved but again the area was saved by the intervention of The Trust for Public Land.

There seems to be no end to the development proposals. Cumulative developments such as these will destroy the scenic integrity of the Columbia Gorge.Without some intervention from the federal government, it is only reasonable to anticipate continued development and destruction of the beautiful farmlands, cliffs, wetlands, and timber lands of the Columbia River Gorge.

S. 627 mandates preparation of a single management plan to preserve and protect the Columbia Gorge and provides for participation in the planning process by federal, state, and local government agencies. The plan will ensure that future economic development of the region is consistent with preservation of the scenic and natural resources of the Gorge. Local and state interests will be represented on a 14-member Regional Commission, which will work with the Forest Service in developing the management plan.

The Forest Service is an appropriate lead agency for such a commission; it can offer technical expertise in a number of areas that are critical to the management of the Gorge. The Forest Service is experienced in the development of comprehensive management plans for both natural areas and those areas involving mixed land use, such as that in the Gorge. The Forest Service's comprehensive visual management system, which addresses the protection of the aesthetic value of forests, can also be applied to private forest land in the Gorge. State forest practices laws in both Oregon and Washington address soil and water quality, wildlife habitat, and other factors, but they ignore the scenic value of the forests.

I've told you what my bill will do. Now let me tell you what it will not do. There are a number of rumors circulating about what my bill would do that are completely inaccurate. Let me set the record straight and lay these rumors to rest.

The most ludicrous and destructive rumor that I have heard is the fear that homes will be condemned. It won't happen. Section 12 of my bill precludes the condemnation of homes, farms, orchards or grazing land as long as the existing use of that land is not substantially changed. Furthermore, the Forest Service has never used eminent domain in acquiring lands within the Columbia River Gorge. Since 1922 the Forest Service has acquired 16,000 acres of scenic and natural lands within the Gorge, 10,000 acres of which have been acquired through land exchanges and the remainder through gifts and purchases.

A second rumor is that no growth will occur in the Gorge once the scenic area has been designated. This isn't true. In fact, National Scenic Area designation will encourage development of tourism from other states which will benefit the economy of the Gorge. My bill specifically excludes incorporated communities so that growth is channeled into appropriate areas. Economic development in the Gorge is necessary, but it is also essential that such growth be planned and not allowed to occur haphazardly.

I have also heard the charge that local governments will lose all control over land use planning. It isn't so. Section 9b of my legislation addresses this issue. It will still be up to the counties to design and implement county land-use and zoning plans consistent with the federal management plan. The federal government will provide technical assistance to counties in developing their land use plans, but the counties and the citizens residing in them will be the ones who actually draw up land use ordinances.

A fourth rumor is that timber industry in the Gorge will be devastated. This is simply false. First of all, the bill does not preclude the harvesting of timber in the Gorge. Second, statistics do not support this contention. Only two percent of the commercial timber land in Skamania County is within the Columbia Gorge boundary and only three-tenths of one percent of Klickitat County's commercial timber land is included. It is only in these two Washington counties that the question of commercial timber land arises, and the proportion of timber stands within the proposed scenic area is insignificant.

In closing, I would like to say that the issue before us today is whether the public and its elected representatives will act to preserve and protect the irreplaceable Columbia Gorge for all of the people, for all of the time. If we fail to grasp that opportunity, the blame for the loss of the Gorge will rest not with the developers, but with us.

Senator Evans. With that, let me move to the first panel. This is an interesting time for anyone who has just finished an election campaign; they're barely recovered from it. I do not know whether all of these members of the State legislature are here, but if they are, would Senator Hal Zimmerman, Representative Dean Sutherland, Representative Dennis Heck, and Representative Joe King please come forward?

We are delighted to have you here. Let's begin with Senator Zimmerman, representing the 17th legislative district.

STATEMENT OF HON. HAL ZIMMERMAN, STATE SENATOR, STATE OF WASHINGTON

Senator Zimmerman. Senator Evans, I am State Senator Hal Zimmerman of the 17th District of Washington State, representing the area along the Columbia River from Vancouver to Roosevelt. I am interested in the best future for the Columbia Gorge. I have sponsored more bills dealing with the gorge in the past 4 years than any other Washington legislator and served on the Governor's select committee. The select committee heard testimony and prepared legislation which we thought met the consensus of the people of the gorge and the State. But, it didn't satisfy adequately and was shelved.

In 1983 I prime-sponsored Senate Joint Memorial 110, the memorial which was passed and sent to Congress asking that Congress not intrude into gorge control. While there are diverse opinions about protecting the gorge, there is general agreement that there must be an environmental, economic and recreational balance. There is no reason that the 41,000 residents of the gorge have to prove that they can preserve and protect the gorge. History shows that they have been doing so. The gorge is far more beautiful today than when it was burned over not too many decades ago. The railways, the highways, the dams, the power lines, the barges on the river haven't blighted the region.

The passage of the Washington State Shorelines Management Act in which I had a major role in the 1970's was the first and possibly the most significant land use bill passed in Washington and does show what can be done. We have dozens of laws affecting the land use of the area which the citizens of Skamania, Klickitat, and Clark Counties already obey and enforce. The gorge citizens have constitutional and private property rights which should not be infringed upon by Federal decisionmakers who have no direct stake in the gorge, but we recognize their sincere interest.

As State legislators, we are aware that no State law can preempt a Federal measure, and we do appeal to you, Senator Evans, and your colleagues, to recognize that the local people have taken care of the gorge and would like to continue to do so. I have great respect for the people living in the gorge. Through intergovernmental agreement under RCW 39.34 we can develop means for agencies and governmental units in the States to work together for the gorge.

Conclusions which are amplified in an accompanying document which is attached are these:

First, I recommend action by county commissioners to assure everyone that they can deal with land use questions in a manner compatible with environmental, economic and recreational balance, probably a land use zoning that would be applicable in the gorge.

Two, this action must take place quickly if it is to prevent Federal legislation.

Three, the bistate agreement of the Governors of Washington and Oregon provides better options than a Federal department, Secretary of Agriculture, et cetera, particularly if members of the Governors' commission are truly representative or could be elected from the gorge area.

Fourth, I am opposed to the unlimited power of the Forest Service as provided for in the Packwood bill.

Five, local control must have some real meaning. It must result in action and not just rhetoric.

If eight counties in Minnesota can write a protection plan for the Mississippi River, surely the six counties along the Columbia can write a plan for the Columbia Gorge.

I would hope that we recognize that if that is not done, there would obviously be an accompying effort from the Federal level, and the pressure from there obviously should make us see that there must be something done locally if it's going to be done. Otherwise, I assume there will be Federal action, and I'm assuming that we would all hope that we can live and survive under it.

Thank you, very much.

[An attachment to the prepared statement of Senator Zimmerman follows:]

State Senator Hal Zimmerman supplements:

Before the Congressmen pass any federal legislation, they should ask themselves if any of these proposals could be modified to do the job:

1. An eight-county agreement dealing with the headwaters of the Mississippi river, adapted to the Columbia River Gorge.

2. A plan now in place to deal with the St. Croix river along the border of Minnesota and Wisconsin.

3. A bi-state agreement between Oregon And Washington that would place authority for decisions in an elected commission, chosen by citizens in the gorge counties.

4. A stronger Columbia River Gorge Commission, that can work with counties and states.

The Congress must consider that more than 25 sawmills, plywood mills, huge pulp and paper mills are dependent upon the gorge. There are also two aluminum plants, three major dams and five fish hatcheries.

Congressmen must recognize that the gorge has two mainline railways, U. S. highway 84, State Highway 14, extensive barge traffic, all linking Portland and Vancouver with inland agricultural regions.

They should remember that several state and federal parks in the Gorge already protect 10 waterfalls and other scenic areas such as Beacon Rock and Hamilton Mountain.

The weather and winds place certain limits on the gorge.

The Packwood-Hatfield bill is not a good option because it fails to recognize the changing economics of the gorge area; it places too much power in the hands of the U. S. Secretary of Agriculture, and provides no assurances that private property and constitutional rights are protected.

John Harrison of the "Vancouver Columbian" has prepared several articles which elaborate on the Minnesota plan.

Senator EVANS. Thank you, Senator Zimmerman. Let's go on now to Representative King.

STATEMENT OF HON. JOE KING, MEMBER, WASHINGTON HOUSE OF REPRESENTATIVES

Mr. KING. Thank you, Senator Evans and members of the audience. I am Joe King. I'm an independent insurance agent in Vancouver, WA, and I'm the chairman of the House Commerce and Economic Development Committee in the State legislature.

The question obviously is what's an independent insurance agent and a business-type doing up here in Stevenson talking about the need for some kind of Federal involvment. Normally, as a policymaker and as a small businessperson I want the lowest level of Government to deal with the problem. I think, however, there are some cases where that simply doesn't happen.

The major thrust of the legislature this year in economic development will be to look at economically distressed areas. We have found several things. Most of the economically distressed areas where unemployment rates are still unacceptably high have several things in common. One, they're resource-rich. Two, there are some things they don't have and probably won't have in the immediate future. As companies look to develop and expand, they want quick access to an airport, 30 minutes away. They want an efficient transportation system. They want quick, ready access to higher education. As much as I hope to sell full employment in the Gorge, I don't see those two as readily accessible.

It is a resource-rich area. You do have a strong timber base here. That will continue no matter who is in control. The other thing that you have as a resource base from an economic development point of view is some of the most beautiful scenic vistas in the entire world. You can choose to deal with those vistas in two ways. You can develop them immediately, right now, thereby killing the goose that laid the golden egg, or you can support some form of reasonable, long-term, land use planning to preserve those vistas and thereby extract many, many times the value of the quick dollar.

I can think of a couple of examples of where I think most everybody would say, well, the Federal Government in different areas of the country should have done something at some point. I had the fortune to spend a couple of years in Kentucky, in Appalachia, and watch what had happened with the strip mining down there. A resource was plundered, a land was torn up and the Feds finally came in. I don't think many people would say here that the Federal Government should not have been involved at some point in protecting that resource. I look at the Puget Sound and the problems we have up there right now. Should the Federal Government have become involved earlier? Yes, we'll turn to the Federal Government now.

In 1986 there is going to be a world's fair in Vancouver, British Columbia. It will draw 15 to 20 million visitors to the Northwest. By the passage of a national scenic area early in 1985, if that happens suddenly the gorge is on the map from a tourist's point of view. Travel agents across the country will look at that map and say, oh, maybe there is something besides Carter Lake or Mount Hood to see in the Northwest. I think there is no higher development from an economic development point of view for land use for the gorge than to develop the scenic and recreational potential here. I think that it's going to take the help of the Federal Government to do that.

From a State perspective, we don't have any single agency that is capable of dealing with the multitude of jurisdictions we have in the gorge. We're in a position where we've had trouble, as you know, recently even accepting land donations on the gorge. We don't have the budget to come in and buy the scenic vistas. We've got the problem where I think the Puget Sound is going to take all the resources the State has to look at this year. I would urge you to look at the question, Senator Evans, reasonably and to get some Federal involvement in protecting the gorge.

Thank you, very much.

Senator **Evans**. I understand that there are representatives here for Representative Heck and Representative Sutherland. Gloria DeGroot for Representative Dennis Heck.

STATEMENT OF HON. DENNIS HECK, MEMBER, WASHINGTON HOUSE OF REPRESENTATIVES, AS PRESENTED BY GLORIA DeGROOT

Ms. **DeGroot**. Hon. Senator Dan Evans, ladies and gentlemen. Unfortunately, a longstanding prior commitment prevents my being at today's hearing. Therefore, I have asked that the following statement be presented on my behalf.

Going as far back as 1981 in hearings held by the Governor's Select Committee on the Columbia River Gorge, a preponderance of testimony by area residents opposed Federal management of the gorge. Through the intervening years of ongoing discussion in the district before public officials at various levels of government, the response has been the same. In private communications to me from constituents, likewise the message has primarily been control, Federal control.

The issue was subsequently brought before the Washington State Legislature for debate in 1983 through measures introduced jointly in the House where I was a cosponsor with Representative Sutherland. The legislation sought restraint of further Federal control over non-Federal lands in the gorge. It was supported and successfully passed by an overwhelming margin in both houses.

Nothing in the area has changed since then to fundamentally alter my position. Therefore, I go on record reaffirming my support for the will of the citizens in the Columbia River gorge area and the people of this State through their elected state representatives. They have declared that the Federal Government should not play a dominant land use management authority role in the Columbia River gorge and I concur.

Senator **Evans**. Next, Pearl Neely representing Representative Sutherland.

STATEMENT OF HON. DEAN SUTHERLAND, MEMBER, WASHINGTON HOUSE OF REPRESENTATIVES, AS PRESENTED BY PEARL NEELY

Ms. **Neely**. Hon. Senator Evans, ladies and gentlemen, I have the testimony of Representative Dean Sutherland. It reads:

Since I am unable to attend today's hearing, I ask the following testimony be submitted in my name.

As one who represents the area, it has been clear to me that although there are differences on the question of gorge management, the majority of the people in my district favor no further involvement by the Federal Government in the Columbia River gorge.

The majority of letters, telephone calls, public testimony, and results of polls in the area have expressed little support for Federal mangement of the gorge.

The people have spoken over and over again and the Washington State Legislature spoke through the memorial it sent to Congress in 1983, Joint Memorial 110, a companion of the measure I cosponsored in the House asking for a halt to the legislation imposing Federal control over the gorge.

In spite of this message, the question has not been laid to rest, and by the very length of time it has been pending it has exerted a kind of amorphous Federal control over the gorge.

I now urge that Congress honor that message and let the residents get on with their lives and back to handling their own problems.

Submitted by Dean Sutherland, State representative.

Senator **Evans**. Thank you, very much.

A question or two. Senator Zimmerman, you mentioned action by county commissioners to assure everyone they can deal wih land use questions in a manner compatible with environmental, economic and recreational balance, probably through a land use zoning plan. Do you feel that currently the countries involved in the gorge—at least on the Washingon side, I wouldn't presume you would know precisely on the Oregon side—do not have adeqauate land use plans that reflect these balances?

Senator **Zimmerman**. I think Clark and Klickitat have. At this point, Skamania County has a comprehensive plan, but as yet has not impemented what would be I think more adequate and more complete land use zoning arrangements. I think that they have some work to do. But I do think they are prepared, and are more prepared to do it than they have been.

Senator **Evans**. You're suggesting that would be a necessary alternative or certainly a preferred alternative to a Federal land use plan?

Senator **Zimmerman**. I think that we've said since local level decisions are best, and are all in general agreement, that there is logic to that. We know that we can't supersede or preempt, as I indicated, the Federal, level and we're not presuming that. But I think the local effort has in the past done its job, and it should at least be given a little more opportunity, although recognizing there's certainly pressure on from outside elements. But they have done a pretty good job. The present gorge is still a pretty neat place.

Senator EVANS. Do you feel that the Washington State Shorelines Management Act—and it only governs, of course, the very narrow strip along the river—has done an adequate job for that particular stretch of land?

Senator ZIMMERMAN. I think it has been the most exemplary effort in terms of land use in the State, and I think it's done a job on the bodies of water and rivers in the State, as well. I think it provides for us at least an example of what possibly would be a useful means of how we can expand the development and let the State and county work. We recognize there is Federal presence, because of the river there's a great deal of Federal presence. Recognizing that, I think we could use that as a vehicle or a model.

Senator EVANS. Representative King, would like to respond to essentially the same question, regarding as far as the adequacy of local land use planning as an alternative. Or do you believe that's even a feasible alternative to some Federal enactment?

Mr. KING. As I said in my statements, I just don't think that planning simply at the local level in this case, with enormous quick profit that can be made from the development of some of these scenic treasures, I think it's too much pressure on local government to try and deal with those local development pressures there. There is a unique, valuable, economic development resource here, and I'd like to see that resource preserved. I think it will be boosted tremendously by Federal presence, some form of Federal involvement will boost the economic devlopment and employment in the area here.

Senator EVANS. I guess we'll develop this theme many, many times during the day with different people testifying, so they probably ought to be prepared for it. Would you suggest that there are various kinds of lands within the area that is generally considered the Columbia Gorge area, and that among all of these lands some are probably viewed as critical lands or unusually scenic or ones that ought to be preserved? Do you believe that those can adequately be preserved through a zoning procedure? Should those critical lands be purchased? Should there be some kind of restriction on use of those lands? How would you suggest those particular lands, the critical ones, be handled?

Senator ZIMMERMAN. I think they should be purchased or there should be a definite protection of those possibly irreversibly damaged spots. I think we do need to identify those critical and those very vital spots. I am convinced that that can be done through some of the agencies already functioning. Now, the nature conservancy group has been functioning in that regard, the heritage program we've set up in the State is also tying in with that. There are foundations that have been doing likewise, to see that they are purchased and are preserved. I think there's no question that we must specifically deal with some of those affected areas. I'm not saying that we should ignore them.

Senator EVANS. All right.

Mr. KING. I would think that, yes, we do need to either purchase the land outright, or purchase scenic easements if we can't purchase the land outright. I don't see local government having the resources nor the State goverment having the resources to do that.

Senator EVANS. OK. I think I'll stop here. We're delighted that you could participate. If you're able to remain and hear other questions and testimony that you would like to add to, we'd be delighted to receive any further written testimony. Thank you, very much.

Now, would the State government panel please step forward, and the county government panel No. 1 take their place in the hot seats in front? The State government panel, Patrick Dunn, director, Washington Department of Community Development; Jerry Gilliland, Washington Department of Natural Resources; Jeffrey Breckel, executive director, Oregon and Washington Columbia River Gorge Commission; and Dave Michener representing Governor-elect Booth Gardner.

County government panel No. 1 will be Dennis Buchanan, Ed Callahan, Fred Holly, Glenn Palmer, and Vern Veysey. They should sit right down in front.

All right, we welcome this first panel. Let me remind you, too, that we have your written testimony, which will be very helpful, and if you can summarize the main points and try to keep within the oral limits we've set, it would be very helpful for those coming behind you.

Let me start with Patrick Dunn, director of the Washington Department of Community Development.

STATEMENT OF PATRICK DUNN, DIRECTOR, WASHINGTON DEPARTMENT OF COMMUNITY DEVELOPMENT

Mr. DUNN. Thank you, very much, Senator Evans. Our agency has been the lead agency working with other State agencies involved in this issue. The Department of Natural Resources will be talking later. The Department of Commerce is involved because of the tourism issue. The Department of Ecology, Department of Parks, Department of Fishery, and Department of Game. There are some letters that have been submitted to the committee by those agencies.

What we've tried to do is to bring those agencies together to work with the local governments and to work with the Federal officials in putting together a proposal. My sense is, and many of us have spent many hours in this room for many years having hearings and discussions, on the Governor's select committee and various congressional committees, that there is some agreement on what needs to be done. Not everybody agrees, but I think there is some agreement, and there is some significant disagreement on how to do it.

The two Governors, after a lengthy process, proposed basically Federal legislation which would use the Federal authority to enable a regional approach to take place. There are questions and issues that have been raised about that, but I think that was an ability to try to solve this issue. Others have raised other ways to do it.

My sense is, Senator, and I'm glad that you've taken the lead, is that now's the time to try to bring all these disparate ideas together. I think that we have a number of different approaches and we may have an historic opportunity in the next couple of months to move forward with some kind of Federal legislation to begin work on this issue. I know from talking to Governor Atiyeh's office, certainly for the Governor, that we have flexibility and want to look at the best way to do this.

We submitted yesterday to the Governor-elect our transition papers. We view the gorge as the No. 1 issue that we need to work on. I'm very pleased that Dave is here and will give some of the positions of the Governor-elect. We will be in contact with his office again today and tomorrow to begin to meld together his concepts with some of the concepts that we have already been working on in the past. The Governor has indicated a willingness and an eagerness for our agency and other State agencies to get to work on this project, to begin to work with you and your staff.

Three other quick items. We work a great deal with many of you on economic development and job creation in this area. I visited the site of one or two of the projects this morning. Our sense is that many developers and the financial community are going to wait and see until this issue is settled. There's a major need for jobs and economic development here, and I think the sooner we get this item settled the better we'll be able to move forward on some projects.

Last is that many of you I know in the audience are not in favor of Federal legislation and have a concern about it. I would urge you, and also city and county representatives, to also let us and let the Senator know ways that you think legislation should be written if that's what's going to happen, because there are many people who are advocating it, so that they'll have and know your thoughts about that legislation so something does not pass that does not incorporate your ideas.

In New York City when all the traffic is in such a way that it does not move, they call it a grid lock. We have a little bit of a gorge lock here. I think we're going to be able to move forward on that and I'll be pleased to spend the rest of the day listening to the testimony. Thank you.

Senator EVANS. Thank you, very much.

I should insert here that if we get to a point where it looks as though some draft legislation of some kind is desirable at the Federal level, it would certainly be my intent and I'm sure it would be the intent of the committee to once again engage in further hearings, more specific hearings directed to any draft legislation. So, certainly there will be more chances to contribute before any legislation reaches the floor of either committee or the floor of the Senate.

Next, Jerry Gilliland, Washington Department of Natural Resources.

STATEMENT OF BRIAN BOYLE, WASHINGTON COMMISSIONER OF PUBLIC LANDS, AS PRESENTED BY JERRY GILLILAND

Mr. GILLILAND. Senator Evens, I'm a special assistant to Washington Commissioner of Public Lands, Brian Boyle, and I'm presenting this testimony on his behalf. Commissioner Boyle exercises management authority over about 20,000 acres of State-owned trust land in the gorge. It is his duty to help regulate forest activities on private lands, as well. As a spokesman for natural resource concerns of the State's citizens, he has a strong personal interest in what happens in the gorge. He is very supportive of a Federal legislative initiative for the gorge. No other mechanism seems likely to offer the credible framework necessary to resolve the long-standing gorge issues. The various parties' energies must now be directed toward cooperative implementation rather than prolonging the dispute.

Commissioner Boyle believes the main focus of any Federal legislation should be directed toward the question of land use conversion. This is the area in which your leadership could be most effective. We have found in other forest areas on the urban fringe such as at Tiger Mountain State Forest east of Seattle that maintaining the economic viability of natural resources management will help reduce economic pressures on the landowner, especially the small landowner, to convert to a more intensive use. Therefore, it will be easier to develop consensus on conversion questions if natural resource management options are kept open.

In managing State trust lands in the gorge, the State has a legal obligation entrusted to us by the Federal Government at statehood to provide economic benefits to schools, other public institutions and the countries. We nevertheless do have the flexibility in meeting this trust obligation within the direction of adopted laws and policies, including those intended to protect environmental values.

Under our forest land management program, we believe we can minimize environmental impacts, including visual impacts in sensitive areas, while still meeting our economic obligations. We can do this, for example, by paying close attention to the timing, size and shape of clearcuts, and by taking measures to reduce the need for slash burning.

We're in the process of developing a block plan for our ownership in the gorge which should be available for initial public review next spring. It will elaborate on the visual management practices I've mentioned.

We can also address visual impacts through out land exchange program with other large forest land owners. These land exchanges will result in the reduction of the linear extent of common ownership boundaries through such exchanges which will block up adjacent ownership. This means that there is less chance of harvest openings on adjacent ownerships being unintentionally side by side.

We also have a legal obligation to exchange only for lands with market value equal to the value of lands given up. This would probably prevent us from exchanging lands which may not be feasible to manage productively such as isolated small ownerships in visually critical locations.

We are hopeful that our exchange efforts with the larger, private forest land owners will lead to other cooperative management efforts in the gorge. Cooperative management could lead to voluntary use of measures which maintain high visual quality within profitable forest operations regardless of ownership. Commissioner Boyle has had encouraging personal conversations with industry executives along this line, and he intends to continue to pursue this. He would welcome your support in this area.

The Columbia Gorge has a long history of forest management activity. Forestry is a legitimate and vital part of the rural scene, and it should be the goal of Federal legislation to converse this activity.

Commissioner Boyle supports the congressional initiative in the gorge, but we would be alarmed if Federal legislation would be seen as a vehicle to regulate or restrict forest management. This would in our view be reaching well beyond the original concept of gorge protection. The consensus on Federal gorge legislation which we believe is achievable would we believe quickly break down if the scope were expanded to include regulation of forestry.

Let me repeat; we do believe that with your leadership, Senator Evans, a consensus can be reached. We believe now is the time to do it, and we pledge our cooperation and support in both developing high quality forestry standards in the gorge and in assisting in passage of legislation to resolve the land use conflicts that threaten this unique area. Thank you.

Senator EVANS. Next, Jeffrey Breckel, executive director, Oregon and Washington Columbia River Gorge Commission.

STATEMENT OF JEFFREY BRECKEL, EXECUTIVE DIRECTOR, OREGON AND WASHINGTON COLUMBIA RIVER GORGE COMMISSION

Mr. BRECKEL. Thank you, Senator.

Senator, our message to you, the members of the committee and to the region's congressional delegation is simply that the time has come for immediate action by Congress to resolve the debate over management of the Columbia River Gorge. Despite 5 years of talk little significant progress has been made in resolving the issues and moving forward toward a workable and lasting solution. State and local initiatives have failed. Legislation has been pending in Congress for nearly 3 years with no action. Today we seem to be locked in a hopeless stalemate with the various factions arguing the same points they were several years ago.

Nearly everyone agrees the gorge is a special place, a region of unparalleled scenic beauty with a rich cultural background. While we ponder and debate the future of this region it is being determined for us by default. Over 50 governmental entities are making land use and resource management decisions for the gorge. Efforts to provide effective protection for scenic and natural values are fragmented and haphazard. Some agencies have, within their limited resources and authority, attempted to effect varying levels of protection. Others have chosen to ignore the issue. All are making decisions in the absence of any binding regional policies or directions pertaining to scenic natural and cultural values. They are making decisions which are permanently altering the face of the gorge bit by bit.

Although the gorge bears marks of our past insensitivity, great beauty remains. But, how long can the gorge continue to absorb our mistakes and our trangressions before we lose what we all cherish? As the situation stands today the question is not will the gorge succumb to incompatible development land use, but rather how soon. How long will it take before we reduce an extraordinary landscape into one which is commonplace?

Senator, what we urgently need is sound, effective and equitable legislation for management of the gorge, legislation which will preserve and protect scenic, natural, recreational, economic, and cultural values which will establish and maintain a reasonable balance between environmental protection and economic development and growth, legislation which will treat the gorge as an indivisible unit which will provide for a single management entity with the authority and resources to implement regional policies and directions, while melding local, State, and national interests. We need legislation which recognizes man's historical presence in the gorge, and which recognizes protection of scenic and natural values and that they need not necessarily preclude traditional resource uses. We need legislation which treats all citizens fairly and equitably, which will guarantee an individual's right to due process under the Constitution.

We are committed to attaining such legislation, and we urge Congress to make a similar commitment to carefully weigh the facts and to move promptly ahead in forging legislation which will protect this unique region for generations to come.

We have provided for the record and for the consideration of the committee our position paper on gorge legislation. This paper provides a more detailed discussion of the elements and concepts which we believe should incorporated in legislation. We stand ready to roll up our sleeves and go to work with you in resolving this issue.

Thank you.

[The position paper follows:]

Oregon and Washington
Columbia River Gorge Commissions

POSITION PAPER ON GORGE LEGISLATION

November 1983

This position paper is not intended as an endorsement of any legislative proposal. Rather it is a compilation and explanation of those key elements and principles which we believe must be embodied in any Gorge management legislation.

I. OBJECTIVES

The primary and ultimate objective of Gorge management legislation must be the protection, conservation and enhancement of scenic, natural and cultural values for public use, enjoyment and education.

In devising the mechanism to achieve this objective, legislation must recognize the nature and character of this special place and the forces that have shaped it.

--It must recognize the Gorge as a single, indivisible unit.

--It must recognize that resource management and land use decisions in the Gorge have historically been made by a myriad of public agencies whose jurisdictions and responsibilities often overlap and conflict. It must recognize the need for a single management entity with the authority and resources to establish and implement broad regional policies and directions...a management entity capable of ensuring the protection of the region's unique values by melding local, state and federal interests.

--In addition to the diversity of the area's scenic and natural values, it must recognize man's economic uses of the Gorge and its resources, including transportation, electrical generation, timber, agriculture, recreation, cities and unincorporated communities.

--It must recognize that protection of scenic and natural values need not necessarily preclude man's historical uses of the Gorge. It must not needlessly usurp private property rights. It must employ measures which will accomplish protection and conservation objectives while maintaining, to the maximum extent possible, an individual's capability to utilize his land and its natural resources. Homes and farms must be preserved as long as the character of these uses is not significantly changed.

--It must provide for the active participation of the public.

II. MANAGEMENT ENTITY

Current management of the Gorge and its resources is fragmented and provincial. Resource management and land use decisions are made by nearly 50 local, state and federal government entities. Often jurisdictions and responsibilities overlap and conflict. Protection of scenic, natural and cultural values too often falls victim to other organizational objectives, competing interests and legal mandates. No single agency has the interest, authority or resources necessary to ensure coordinated regional protection of the area's unique values.

Judicious management of the Gorge dictates the need for a single entity with the resources and authority necessary to establish and implement regional policies and directions.

The management structure must provide for the full and equal participation of all interests, federal, state and local. No one level of government should dominate the management of the Gorge and its resources. The structure best suited to meet this need is the regional commission capable of impartially hearing and weighing input from all interested parties.

The commission must be a citizens board. Its members should be as free as possible from any entanglements or interests with existing management agencies or organizations. To appoint federal, state and local agency representatives or local elected officials would serve only to perpetuate the conflicts and rivalries inherent in the multiplicity of Gorge management agencies.

To ensure continuity in operations and familiarity with the Gorge, the commission should be of a reasonable size, allowing it to meet frequently and expeditiously.

In view of the above considerations, one possible commission structure could be:

--One citizen from each Gorge county who has demonstrated an interest in the purposes of the Act, recommended by the respective Governor and appointed by the President.

--Four citizens representing the statewide interest, two from Oregon and two from Washington, who have demonstrated an interest in the purposes of the Act, recommended by the respective Governor and appointed by the President.

--Three citizens representing the national interest who have demonstrated an interest in the purposes of the Act, appointed by the President.

III. BOUNDARIES

In 1975 the legislatures of Oregon and Washington established by statute the boundaries of the Gorge. These boundaries, in theory, included all lands visible from I-84, S.R. 14 and the Columbia River, from the Sandy River and Reed Island in the west to the Deschutes River and Miller Island in the east. While several other boundary options for the Gorge have been proposed over the past several years, all have been based on the same general "viewshed" concept.

The existing statutory boundaries should serve as an adequate initial boundary for the Gorge in any legislation. Legislation should recognize the need to review these boundaries for accuracy, and provide the means necessary for making adjustments. Lands visible from the old Columbia River Highway in Oregon should be included in the area.

One boundary issue which has garnered the most attention is whether incorporated cities should be excluded from any Gorge management area. The incorporated cities and special use areas are an integral part of the Gorge and contribute to the region's character. While it may be politically expedient to exempt cities, such an exemption fails to recognize the contribution or impact of urban areas on the region's character and overall integrity.

Granted, cities and even unincorporated communities are not pristine or undisturbed areas. They should not be judged by the same standards as the open and rural areas of the Gorge, but they should not necessarily be exempted. Legislation should recognize the urban nature of the cities and provide specific standards which are tailored to such urban qualities.

IV. INTERIM MANAGEMENT

Passage of any of the Gorge legislative proposals aired to date would initiate the process of developing a long-term regional management plan. Formulation of this plan, including data collection and evaluation, preparation, and public hearings, will be a time consuming task, estimated to last from 18 to 30 months.

During this interim, poorly-planned or ill-conceived land use and resource management decisions could result in irreversible land use patterns which seriously detract from the region's scenic and natural values and jeopardize the effectiveness of any long-term planning effort. Interim management quidelines are essential to avoid such problems and to provide a stable environment for long-term planning. Development and implementation of interim guidelines should be given a high priorty. Legislation should clearly delineate the land and resource uses to be covered, the objectives of such standards and a schedule for their development and implementation.

To allow the management entity to focus on preparation of a long-term management plan, implementation of interim guidelines should be accomplished by existing regulatory agencies with the management entity in an oversight role.

Finally, a moratorium should be placed on major development actions in unincorporated areas while the interim measures are being developed. Such a moratorium should be flexible, however, allowing review of land use proposals and approval of those considered consistent with the purposes of the legislation.

V. THE MANAGEMENT PLAN

The management plan is the key element in a regional management program. It must translate the general objectives and purposes of the legislation into specific regional goals, guidelines and directives which can be clearly understood and implemented by the numerous regulatory and planning agencies in the Gorge.

The legislation must clearly define all areas to be addressed in the plan. More specifically, legislation should require that the plan:

--Be based on detailed inventories, studies and analyses of Gorge resources, including use patterns and conflicts.

--Identify critical and sensitive lands. Such lands should include not only unique scenic, natural and cultural landmarks and features, but also lands necessary to retain the general ambience or overall character of the region. It must clearly delineate why specific land areas are designated sensitive or critical, identify land or resource uses which jeopardize these lands, and establish protection objectives.

--Provide a program for the protection of critical and sensitive lands in accordance with established objectives. It should recognize historical land uses and property rights by carefully matching protection strategies to the values requiring protection. This will ensure that protection measures are no more restrictive than necessary to meet established objectives.

--Contain goals, guidelines, standards and maps for a variety of land uses, including residential, commercial, industrial, forest, agriculture, recreation, transportation, mining, and utilities. Such standards should differentiate between rural and urban areas.

--Provide a regional program for coordination of public recreation, education and interpretation.

--Establish procedures for involving federal, state and local government entities in the review of the plan's provisions and their implementation.

--Provide procedures for the periodic review and update of the plan.

--Provide procedures for public participation.

--Provide procedures for boundary changes.

--Provide for economic planning and assistance in support of local communities in cooperation with existing economic development entities.

--Provide a program for managing acquired lands.

The legislation should provide the opportunity and resources necessary for the full and ongoing participation of local, state and federal government entities and the general public in preparation and subsequent revision of the plan.

VI. SCHEDULE FOR ACTION

Legislation must provide a schedule for action embracing key tasks, including appointments, preparation of interim guidelines, preparation of the management plan, and implementation of the management plan. The schedule should take into consideration resources available and the need to provide an opportunity for public participation.

VII. IMPLEMENTATION AND ADMINISTRATION

Much of the authority necessary for implementation of the management plan currently resides in existing regulatory and land management agencies. Missing, however, is the overall direction and, in some instances, the necessary resources to ensure effective and timely implementation.

To avoid a needless duplication of authority and effort, the legislation should capitalize on the authority, experience and skill of existing agencies by providing the necessary direction and, if need be, resources to allow implementation of the management plan by existing agencies. While the ultimate authority for ensuring implementation should rest with the management entity, this body should serve in a coordinating and oversight role, reviewing and approving agency plans and stepping in only when an existing agency fails to act accordingly. This would allow the management entity to focus more closely on specific problem areas or issues where no other agency has jurisdiction.

In general, the same approach used for implementation should also be extended to enforcement. Specifically, existing regulatory agencies should enforce their plans once approved by the management entity. The management entity should take enforcement action in instances where no other agency has jurisdiction or when a regulatory agency acts in a manner contrary to the provisions of the legislation or management plan.

Finally, in the day-to-day administration of the legislation, it must be anticipated that some actions of the management entity will be appealed, either by members of the public or another agency. While the final recourse for any such appeal will be the courts, there needs to be an intermediate level of appeal...one which will be both speedy, economical and easily accessible. This appeals process must also be impartial, not only in action, but also appearance. The hearings body must be independent of the influence of the management entity. This need would be best served through the use of a hearings officer or administrative law judge.

VIII. PROTECTION MEASURES

The diversity of the region's scenic and natural values, land uses and land ownership patterns require the use of an equally diverse array of protection and conservation methods, including land use standards and controls, incentives and subsidies, land exchanges, less-than-fee acquisitions such as scenic easements and development rights, and fee title acquisition.

Protection and conservation methods must be carefully selected to meet not only protection or public use objectives, but also to protect traditional land and resource uses and private property. For example, acquisition of a parcel for the sole purpose of protecting scenic quality may unnecessarily preclude private ownership and utilization of the land and its associated resources. Homes and farms must be exempt from condemnation so long as the existing character of such uses is not changed significantly.

Land use controls or the acquisition of scenic easements may achieve the desired protection of scenic quality while maintaining private ownership and, albeit limited to some degree, use of the land and its resources. Incentives and subsidies could also assist in achieving scenic protection objectives by offsetting scenic management and design costs.

In general, land use controls and less-than-fee acquisition should be given priority over fee title acquisition, due to the above mentioned capability of such measures to meet protection objectives and maintain private ownership and historic resource ues. This is not to say that fee title acquisition is not an important and needed protection resource. Fee title acquisition, particularly through the use of eminent domain, should be restricted to instances where no other protection or conservation method is adequate or feasible. Such instances would include the development of public recreation and interpretive facilities, or the protection of critical natural or cultural areas where other methods would unfairly restrict or penalize the landowner. Finally, if acquisition is found to be the appropriate protection method, measures should be implemented to ensure that the action is completed promptly and equitably so as not to impose any undue hardship on the seller.

Local governments and other taxing districts should be reimbursed for any loss of tax revenue resulting from acquisition.

IX. PUBLIC INVOLVEMENT AND PARTICIPATION

The process of developing and implementing a management program for the Gorge must provide for public involvement and participation in all phases. Gorge residents and concerned citizens must be given the opportunity to assist in forging the management program which will directly affect their lives and livelihood.

Legislation should require a public involvement program including the followng elements:

--Citizen Involvement - The program should include a cross-section of affected citizens in all phases of the planning process. The program could include citizen advisory committees and informational workshops. The participants should represent a balance of interests and geograhic areas related to the planning decisions. They should be selected by an open, well-publicized process.

--Communications - Mechanisms should be established to provide for effective communications between the commission and the public.

--Technical Information - The program should ensure that technical information is available in a simplified, understandable form. Assistance should be provided to interpret and use technical information. Copies of all technical information should be provided in a timely manner at local public libraries or other convenient places regularly accessible to the public.

--Feedback Mechanisms - The commission should respond to recommendations resulting from citizen involvement. Recommendations should be retained and made available for public review. The rationale used by the commission in reaching policy decisions should be available in the form of a written record.

--Financial Support - Adequate staff, financial and informational resources should be allocated for citizen involvement.

X. FUNDING

Funding for the timely development and implementation of a management program is essential. Insufficient funding will only delay and seriously jeopardize the success of any protection effort. Poorly-planned or ill-conceived land use practices could outpace measures to prevent them. Property owners would face prolonged uncertainty over the use of their land and its resources.

Finally, if there is to be federal, state and local participation in the management of the Gorge, then all three levels must be willing to contribute to the effort. Federal/state cost sharing should be implemented. Local governments should be willing to make in-kind contributions wherever possible.

Senator Evans. Thank you, very much. There is an extensive and, I think, very good summary of projected actions to take. That's going to be very helpful.

Next, Dave Michener representing Governor-elect Booth Gardner. You've had all of 2 days to get prepared.

STATEMENT OF HON. BOOTH GARDNER, GOVERNOR-ELECT, STATE OF WASHINGTON, AS PRESENTED BY DAVE MICHENER

Mr. Michener. Thank you, Senator.

With the widespread local and national concern over the fate of the Columbia Gorge, Booth Gardner has asked that I appear on his behalf and provide for the hearing record a general outline of his position regarding protection of this natural and irreplaceable area. Several pieces of legislation have been proposed in the Congress to set up in one form or another a governing commission for the gorge, and to spell out in varying detail its mandate. Booth Gardner urges the Washington and Oregon delegation to join behind a bill that would do the following:

First, the Federal Government should play the primary role in the management of the gorge. As with other special natural areas of national significance, the Federal Government has a responsibility to safeguard this area. Giving the primary management role to the Federal Government would provide a neutral and independent perspective for this interstate shared resource, and Federal management would help provide long-term safeguards against immediate and powerful tendencies to develop the gorge and thereby destroy for all time its unique qualities.

Second, the governing commission must represent the broad interests of all Washington and Oregon citizens, as well as the interests of local gorge residents. Certainly we must be sensitive to the concerns of gorge residents who will be immediately and directly affectd by the actions taken. The impact on the area's tax base, its economy and the rights of the individual residents are all legitimate concerns. Mechanisms need to be provided to allow gorge residents and local governments to voice their concerns and to actively participate in decisions which affect them.

Third, key Washington tributaries that feed into the gorge need protection. I'm very concerned over this issue. On the Washington side, I believe the Wind, Little White Salmon, White Salmon, Washougal and Klickitat Rivers need special protection, perhaps through the vehicle of wild and scenic rivers designation or studies. Protection of these tributaries is not just for esthetics. More fundamentally protection is necessary to maintain the critical habitat of much of Washington's wild life, and would help maintain and enhance salmon and steelhead runs in the Columbia basin.

Fourth, there must be a moratorium on development in the gorge until a comprehensive management plan is adopted. Development already underway in this area is disturbing and must be stopped until a final and comprehensive policy decision has been made which defines what developments can be and which sould not be permitted. Further, we must specify in the legislation those lands that are deemed critical and deserving of special protection.

Such action will provide for these key areas an extra, essential measure of protection.

Over the years we have seen throughout this country and State an erosion of habitat lands for our wildlife and spawning grounds for our fish. We have seen beautiful natural areas severely tarnished by our hands. The gorge is a national treasure and its tributaries are vitally important to the vitality of our fish and wildlife, and ultimately to ourselves.

The issue of whether to take such action to protect the gorge has been around for years. Booth Gardner thinks it is obvious that now, with the inevitable pressures for development moving in the direction of the gorge, we must act without delay. He is convinced that over the long run our generation will be evaluated primarly on how we have treated our environment. The question is whether we shall continue to exploit it for its immediate value and, therefore, abuse it, or whether we treat it with respect and preserve it for the enjoyment and use of those who follow us.

Clearly, Booth Gardner is on the side of taking action now to protect the gorge and urges strongly that legislation embodying the general criteria above be enacted without further delay.

[Hooting and booing from audience.]

Senator EVANS. If there are any further outbreaks, we will find it necessary to adjourn the hearings. This is for information, to gather information from all sides. I will not tolerate any kind of outbreak—any kind. I hope that's clear.

Now, let me get to Patrick Dunn. What about local zoning as one piece of any proposal? What is your perception of the role to be played by the agencies you represent?

Mr. DUNN. As Senator Zimmerman mentioned, and also Representative Heck and Representative-at-that-time Chamberlain were involved in this series of hearings that we had here. I think there's significant concern about the lack of zoning within Skamania County. The reason eventually that the governors proposed Federal legislation was the massive Federal presence, and that if it is really a regional facility and we need to reach across the river, we need to have the Federal Government. Then what it created was a regional body that would develop some guidelines that would be implemented with local planning and zoning. So, of this particular proposal, the implementing would be by the local government. I know the commissioners in Skamania County have tried to do an interlocal agreement a number of times and it has not worked out. I think it was primarily because of that that people began to look at another solution.

Senator EVANS. In your view, should critical lands be subject to control through zoning or purchase?

Mr. DUNN. The problem, as you know in having worked in these kinds of issues, in some areas it's very appropriate for acquisition. In other areas, there may be other mechanisms—zoning, less-than-fee acquisition and donation—that may be more appropriate, and there needs to be a process set up for making that decision. But, it is true there are very critical lands that need to be preserved by purchase.

Senator EVANS. Mr. Gilliland, you mentioned in your testimony the particular problems that the State department of natural resources has, even as compared with the U.S. Forest Service in its trust relationship with the State, with almost all of your lands, there is a trust associated with it, and a need for managing those lands for the economic value of the trust. To what degree do you think you have flexibility in choosing not to log and choosing to manage for other purposes when it could have a detrimental effect on the income to the trust?

Mr. GILLILAND. Senator, the overriding trust responsibility the Department feels, is to preserve the productivity of the land. There are some pieces of state land within the gorge that we have no plans of harvesting. For instance, on Table Mountain there's a parcel of State land that has trees on it, but it's our opinion that it would not reproduce within a reasonable period of time so we are deferring any action on it. So, that's quite possible to do.

Senator EVANS. I can understand that. You can quite clearly be within your trust responsibility if you didn't log an area that had no real hope of being reforested in a reasonable period of time. How about land that might be prime timberlands, but would also be an integral part of any gorge protection plan? Do you feel that you have the flexibility to not log those when the trust itself may need the income?

Mr. GILLILAND. It would be our position that we could not set aside lands permanently that would result in their not producing any revenues. I think we've had a lot of legal cases that back us up on that. But, we do have a lot of flexibility as to how the lands are managed over the long term.

Senator EVANS. What about any requirements that might be placed on logging, the kinds of logging, preservation of sight lines such regulations that could cut to some degree the maximum economic potential of that land? Would those kinds of regulations still fit within what's allowable under current trust relationships?

Mr. GILLILAND. Well, State land is managed in accordance with State and Federal laws, just like any other timberland. So, whatever was imposed on all the timberland we would abide with, as well.

Senator EVANS. If it's deemed necessary to have additional requirements beyond those that are either in current State or Federal forest management plans or laws in order to preserve some of the visual characteristics of those logged lands, do you think that can effectively be done through voluntary compliance, or should that be added to law, either State or Federal, in order to make sure it's done consistently?

Mr. GILLILAND. We think that voluntary compliance can achieve the goals of preserving the rural character and natural resource character of the gorge, rather than enactment of any, either State or Federal, legislation.

Senator EVANS. If we can do all of that with voluntary compliance, why do we even have a forest management act in the first place? Can't we all do that voluntarily, too?

Mr. GILLILAND. It's required to set certain minimum standards and I would assume that's why the forest practices act was adopted by the State.

Senator EVANS. Wouldn't this in essence be doing the same thing? Setting a higher minimum standard for these particuliar lands?

Mr. GILLILAND. It would be setting an additional standard, that's correct.

Senator EVANS. But, you think that can be done voluntarily?

Mr. GILLILAND. Well, we believe that the major reason for legislation to protect the gorge is to preserve its rural character; that is, to prevent conversion of lands to subdivisions and that sort of things. We think that injecting the idea of some sort of visual standards for timberlands unnecessarily complicate the issue.

Senator EVANS. I would guess timberlands are probably by far the largest acreage on both sides of the river within the limits of what's considered under any proposed gorge legislation. If that's true, isn't that the prime concern rather than the secondary concern? To the degree that any kind of visual problems exist, wouldn't it probably be as intense on timberlands as anything else?

Mr. GILLILAND. Well, in our observation of this issue, it seems that the major controversies have erupted over the idea of subdivisions and converting the land to housing and commercial development, rather than having to do with timber sales or timber production.

Senator EVANS. Do you think current state forest management provides adequate protection against forest lands and small forest plots being turned into developments rather than reforested?

Mr. GILLILAND. No, sir. That's why Commissioner Boyle favors Federal legislation. The problem of conversion is the major problem facing the gorge, and that's why some sort of Federal presence is necessary.

Senator EVANS. Isn't it possible to do the same thing through State legislation?

Mr. GILLILAND. It doesn't seem to be the case since no State legislation has been passed.

Senator EVANS. Well, no Federal legislation has been passed, either. So, we're trying to figure out where and how we can best do this. It may be difficult. It could even be impossible. But, at least it's legally feasible for this to be done as adequately at the State level as at the Federal level, isn't it?

Mr. GILLILAND. That's correct.

Senator EVANS. All right. Mr. Breckel, Mr. Gilliland mentioned something that I think is of unquestioned concern and that's the possibility of intense development in the short term. Are you concerned about the so-called short plat developments that either are occurring or are being suggested for this area?

Mr. BRECKEL. Senator, we are. We're concerned in that although the ground may not be broken and the structures constructed, we're setting the stage for some rather intensive land uses, particularly here in Skamania County. We're concerned about the framework of legislation that relates to land use and about the variability of those regulations throughout the gorge, Skamania County having no comprehensive land use ordinance while at the same time some of the other counties—adjoining Klickitat County—having a fairly well constructed gorge protection land use ordinance. Both help, but we have such inconsistency within the gorge that we have no real comprehensive assurances that development would be properly channeled.

Senator **Evans**. In your position paper that accompanies your testimony you talk about recognizing that the protection of scenic and natural values need not necessarily preclude man's historic uses of the gorge. You go on to say "It must employ measures which will accomplish protection and conservation objectives, while maintaining to the maximum extent possible an individual's capability to utilize his land and natural resouces. Homes and farms must be preserved as long as the character of these uses is not significantly changed."

Do you believe that can be done essentially through an appropriate local zoning, or that it needs something further than that?

Mr. **Breckel**. No, Senator, we don't believe that can be done through local zoning. We feel that local zoning can play an important role in performing that function. I think we need to better define very specifically what the values are that we're trying to protect on certain lands, and then match the protection or the conservation technique to those values. In some areas zoning and land use controls, coupled with design standards, can very appropriately protect the values that the public is concerned in, and at the same time can maintain and protect the rights of the private property owner. We can move on there to incentives and subsidies, perhaps subsidizing the scenic treatment of various timber harvest and timber management techniques which will allow those lands to continue to produce fiber, maintain them in private ownership and still protect public ownership.

We can move on to less-than-fee acquisitions in areas where land use controls would be too onerous a burden for the landowner to sustain uncompensated, and for those areas where development or any intrusion by man would totally disrupt or destroy the scenic, natural or cultural values we're concerned about, or in those areas where we need lands for public recreation, obviously those lands should be acquired. What it means, though, is it means we very carefully define what we're trying to protect on an acre-by-acre basis, and match the strategies for the protection of those to those values.

Senator **Evans**. You suggested an escalating level of involvement. I think we all understand pretty clearly the acquisition on the one end, and local zoning as a control which is fairly common at the other. Would you suggest that the incentives you mentioned for doing certain things, and then the acquisition in less than fee, should be offered to people on a voluntary basis, or should they be set and required under certain circumstances?

Mr. **Breckel**. I think once we define what we're trying to protect we can—we can't get away from the regulatory sense. Obviously, if ordinances are well prepared they don't preclude reasonable, well-planned development. What they do prevent is those 1 in 10 poorly designed or ill-conceived developments which on a cumulative basis would severely injure the gorge. Certainly there has to be a regulatory sense, there has to be a regional set of policies which are binding upon the agencies and the governments that act here. But, each governmental entity, be it a local government, be it a State agency or be it the Federal agency, certain authorities, certain areas of expertise which under a compromise legislative proposal could be bound together to achieve a single objective.

Senator **Evans**. What about the specific instance of a piece of property where controls like less-than-fee acquisition or, a scenic easement, all what's required, fitted within an overall kind of goal for the gorge? You approach that property owner and say this is what we want and this is what we're prepared to pay. The property owner says, look, if you want to take part of my use of the property, that's fine. Buy it. But don't try to tell me I can't use it but I still must own it and pay taxes on it, some reduced taxes presumably. What do you suggest in circumstances like that? That it remains the landowner's choice to say buy me out or that you force them to reduce the use of their land and pay them some amount for that?

Mr. **Breckel**. I think we have to be sensitive to the landowner's desires. If the landowner chooses to be bought out, I think he should be bought out. That allows the acquiring agency, though, I think to place deed restrictions that might match the development rights he wanted to acquire previously and put that property back on the market, say to a buyer who is willing to live with those requirements and restrictions.

Senator **Evans**. So, essentially you'd leave that, then, to a property owner's choice as to which way to go. Then the purchasing agency could, as you point out, put it back on the market with the restrictions already on it?

Mr. **Breckel**. Yes, sir.

Senator **Evans**. OK. Mr. Michener, I think we all ought to understand that this is almost unfair to ask the Governor-elect or his representative to speak only 2 days after an election. I'm sure there'll be opportunities many times during the next 4 years to talk in much more detail. But I heard you suggest that there be an immediate moratorium on development. How do you view the potential danger of that if, by either State or Federal law, we were able to place a moratorium on development? Doesn't that represent almost a taking without compensation for property owners—there may be thousands, or hundreds at least—who have some ideas as to the regularized changed use of their property? A moratorium placed on these changes obviously could have adverse economic effects. How do you view that?

Mr. **Michener**. Senator, I have to be careful and cmment only in the context of the comments by Mr. Gardner. But I think in this instance, when he's talking about the moratorium, he's talking about a short-term moratorium in which decisions are made, and then we would go beyond then. But, not a moratorium with any long-term effect, but simply one in which things are put on hold until the decisions have been made. Then we would go forth after that.

Senator **Evans**. Well, it would be helpful. In fact, as the day goes on and as we hear various testimony, certainly we'd be most anxious to have any further ideas or further development of the Governor's position.

Do you know how he would approach the question I just asked regarding the purchase of critical lands? If a series of levels of control is designed, whether it's zoning incentives, less-than-fee acquisition or fee acquisition, should the choice remain with the landowner or be determined by whatever agency is in control?

Mr. **Michener**. I haven't discussed that with him since the election and I just don't really feel capable of giving his opinion on that. He's open, I know, to negotiation and resolution of all the aspects of it. His approach is one of great flexibility, I think, and that's about as far as I can commit in that area.

Senator **Evans**. If he's prepared at this time, it would be helpful to have some further detail on the question of the interrelationship of the Federal Government and whatever role it might play in a Columnbia Gorge management, and the relationship then of the Federal Government with the State and local government participation which you mentioned as an essential ingredient of all this. Furthermore, some additional ideas as to how that might happen and what that interrelationship might be would be helpful.

Thank you, very much, and especially to the Governor's representative. I appreciate his being here on such short notice. We all recognize that even though the record formally closes on November 23, we won't even come into session as a Congress until January 3 and no legislation is likely to be introduced for some time after that. So, there'll be plenty of time for further contact, and we'd particularly like that from those who represent major governmental interests in the area.

Let's turn now to county government panel No. 1. While they're coming up, county government panel No. 2 should be prepared: Robert Leick, Skamania County prosecutor; Linda Lethleand, Skamania County assessor; Harold Vandenberg, commissioner-elect, Skamania County; Jack Mills, commissioner-elect, Hood River County; Steven Anderson, Klickitat County Planning Department.

We're delighted to have this panel. I'll start with Dennis Buchanan, Multnomah County executive.

STATEMENT OF DENNIS BUCHANAN, MULTNOMAH COUNTY EXECUTIVE

Mr. **Buchanan**. Senator Evans and members of the subcommittee, I appreciate the opportunity to appear before you today and represent the interests of Multnomah County. I also appreciate the approach that you are taking in your discussion, I believe it's fresh and open. I beliveve that there is an opportunity to take action with new legislation that addresses the long-term interests of the citizens of this region. I think the goals you have indicated you're following in your statements are the correct ones. One, to preserve the gorge; two, to do it quickly to avoid further damage; and three, to do it fairly, fairly for the citizens of this entire region for whom this is a national heritage and to do it fairly to the citizens who live in the gorge for whom the gorge is their home.

I was pleased to hear the position taken by the Governor-elect, Booth Gardner, because I believe it represents the kind of statesmanship and leadership that Washingtonians have come to expect from the people who occupy its highest offices. I believe that we should have a strong Federal presence in controlling the gorge, that when we consider the scope of the problems and the resources required, that only a Federal presence will succeed in accomplishing the goals of preserving the gorge, doing it fast and being fair to all our residents.

Second, I think we should give the lead role in the preservation to the most appropriate federal agency. I believe that with a strong Federal plan, a strong Federal agency and leadership, that conservation groups would coalesce around the kind of legislation that would achieve the goals I've outlined. I'm confident that we would get strong support from our congressional delegations in both Oregon and Washington.

I think the key point to make is that any legislation we develop should have complete integrity to the goal of preserving the Gorge and should not compromise the Gorge; that it should respond in a timely manner, because I believe that further delay is unwarranted. We have already seen erosion in the Gorge during the five years of discussion. We need to move without further delay, hopefully in the coming session.

Thank you, very much.

Senator EVANS. Thank you, very much.

Ed Callahan, chairman, Skamania County Board of Commissioners.

STATEMENT OF ED CALLAHAN, CHAIRMAN, SKAMANIA COUNTY BOARD OF COMMISSIONERS

Mr. CALLAHAN. Thank you, Senator.

I am Ed Callahan, chairman of the board of county commissioners. Thank you for the opportunity to speak before you today concerning management of the Columbia River Gorge. I am particularly pleased that this hearing is being held in the gorge so you have an opportunity to see how well it has been managed and to hear our opinions on future management.

I speak for the residents of Skamania County who overwhelmingly favor local control. In a general election polled in November 1984, over 89 percent of the voters in Skamania County voted against Federal intervention in management of the gorge. We want local control.

Skamania County recognizes that the Columbia River Gorge has superior natural and scenic qualities. But, man has been here for thousands of years. Many changes have already occurred through the development of highways, rail, hydroelectric dams, and most of the major changes are from state and federal projects.

In spite of all these manmade changes, the gorge is still a special place to live, work and play. The people of the gorge have built cities, towns and small communities to complement the gorge, and the actions of the local governments have maintained the rural character of the area. The citizens of Skamania County want to continue to maintain these special natural and scenic qualities in a rural atmosphere.

My objective is to protect the rights of the citizens of Skamania County and the gorge while protecting important scenic and natural qualities. The right to economic opportunity and a homeland must be preserved, as well as the commitment to protect the environment and to provide recreational opportunities. This requires long-range planning and the implementation of appropriate guidelines and restrictions. We feel that we have met the challenge in the past and will continue to do so in the future.

Skamania County has taken many steps to plan and manage the gorge resources and development. We have an existing comprehensive land use plan that provides the framework for gorge management and a zoning ordinance text is now being developed that places special emphasis on gorge protection. Many other local, State and Federal regulations already exist to control development in the gorge. An additional layer of regulation and control is not necessary.

Providing an economic base and economic opportunities for 40,000 residents of the gorge must be considered when planning for the future of the gorge. Present economic opportunities are compatible with the preservation needs of the gorge and will continue to be so under local management. Economic opportunities must always be available as part of the management plan of the gorge. This can best be accomplished with local management since the federal legislation would only stifle adequate economic development of the region. Skamania County already experiences unemployment rates of 21 to 30 percent annually.

Skamania County is also concerned with its tax base. Most of the land mass within Skamania County is now in Federal, State and large timber holdings. Only 8 percent of the land is taxed at full valuation. Federal legislation would only increase the Government ownership and rights. Three-quarters of the lands that have been suggested as gorge critical lands are in Skamania County. The fair market value of the critical lands in Skamania County approaches $100 million alone. Our county and its citizens deserve an adequate resource base and the opportunity to manage it consistent with its character.

Many lands in the gorge have been suggested to be critical lands, but there has never been a process to identify these lands or set standards to debate their selection. These should be done before legislation is considered so everyone understands what lands are affected. If it is necessary to preserve a critical area of land, it should be done by outright purchase rather than putting the restrictions on the land use and economically harming the landowner. Recent examples of this type of activity include approval by the U.S. Senate Appropriations Committee to spend up to $8.5 million to buy the Steigerwald Lake wetlands as a wildlife refuge and the U.S. House of Representatives subcommittee to appropriate $1.5 million to purchase gorge lands from willing sellers. However, when lands are removed from the tax rolls, just compensation should also be provided to the country for the loss of the taxable lands.

We must recognize that there are existing communities within the gorge, some incorporated and some not, that must be considered and allowed to remain viable. Growth boundaries need to be established for each city and unincorporated community based on projected need and the protection of the character of the area. In Skamania County 10 such communities exist within the proposed gorge boundaries. Development of lands lying between these communities should be addressed to preserve the unique qualities of the Gorge and limit development pressures. This can all be accomplished and managed on a local level.

When you consider what Mrs. Jensen, former chairman of the Oregon Gorge Commission, accomplished without Federal legislation, it would seem ludicrous for us to create a large bureaucracy to accomplish what one woman was able to accomplish. When Senator Evans was a three-term Governor of the State of Washington he demonstrated his faith in the people of the State by developing many fine State and local programs. We believe this faith in the people of Washington State continues as this issue of control of the gorge is decided at the local level. This controversy can best be resolved by the State of Washington and the local counties involved. If the Federal Government must be involved, its role should be to provide planning grants for the counties and communities, authorization to make land trades and adequate funding for land purchases.

I will continue to support local control for the Gorge and to provide the stewardship needed to maintain this special place. Thank you for the opportunity to testify.

[Subsequent to the hearing Mr. Callahan submitted the following:]

Skamania County
Board of Commissioners
COURTHOUSE
P.O. Box 437
Stevenson, Washington 98648
(509) 427-5141, ext. 200

Dist. 1 - William V. Benson
Dist. 2 - Eric H. Wedin
Dist. 3 - Ed Callahan

November 13,1984

Senator Dan Evans
Energy and Natural Resources Committee
Dirkson Office Building
Washington D.C. 20510

Re: Columbia Gorge Hearing
November 8, 1984

Dear Senator Evans:

Enclosed please find testimony from the Mid-Columbia Economic Development District consisting of the five (5) counties in the Gorge, Skamania, Klickitat, Wasco, Sherman, and Hood River.

Please include this as part of the official testimony. Through an oversight, it was not included at the hearing.

Thank you for your time.

Sincerely,

Ed Callahan

Ed Callahan

MCEDD

MID-COLUMBIA ECONOMIC DEVELOPMENT DISTRICT

WASCO COUNTY COURTHOUSE ANNEX B 502 EAST FIFTH STREET
THE DALLES, OREGON 97058 TELEPHONE (503) 296-2266

November 8, 1984

Senator Dan Evans
Energy and Natural Resources Committee
Dirkson Office Building
Washington D.C. 20510

Re: Columbia Gorge Hearing
November 8, 1984
Material for the Hearing Record

Dear Senator Evans:

The Board of Directors of the Mid-Columbia Economic Development District (MCEDD) continue to be concerned that the narrow, single issue focus of proposed legislation to-date has been management for scenic preservation. Planning and management must be comprehensive in nature, otherwise further deterioration of the economy, even higher unemployment rates and considerable out-migration of Mid-Columbia citizens may result.

Columbia River Gorge Legislation will affect the region's economic structure, individual businesses, labor force and housing - producing far-reaching consequences. The magnitude of these impacts and the end result will depend on the legislation enacted. MCEDD feels very strongly that an "economic" impact assessment must be prepared to determine the affect of any Gorge legislation on the Gorge economy prior to proposed legislation being enacted.

The MCEDD Board is also very concerned with any proposed increase of Federal intervention in the management of the Gorge. Such an encroachment, with the ability to purchase or acquire land by other means and the establishment of another layer of government regulation, is viewed as contrary to Presidential policy of local control and would severely limit local governments' ability to deal with local problems.

Many of these problems exist because the economic base of the Mid-Columbia has been the timber industry and agriculture, which are highly cyclical, depressed, low or no-growth industries. Those who promote no growth and a return of the Gorge to its "natural element" show no consideration for the rights of its residents. Skamania County, for example, experienced 32.4% unemployment during this recession which continues virtuallly unabated in the Mid-Columbia. Diversification of the economic base is necessary. Federal legislation may severely limit this process.

The MCEDD is a five county bi-state organization representing Hood River, Wasco and Sherman Counties in Oregon and Klickitat and Skamania Counties in Washington. The MCEDD Board of Directors is composed of five (5) County Commissioners, (one from each county), city representatives, Oregon and Washington Port representatives and other public and private representatives.

MCEDD's purpose is to promote economic growth, diversification of the economic base and to overcome the chronic unemployment problems of the Mid-Columbia.

We need the support, experitise and assistance of the Federal agencies now present in the Gorge - not federal regulation based solely on scenic preservation, but freedom of choice and growth in the Mid-Columbia.

Respectfully,

Keith Sutton
Executive Director

Senator EVANS. Thank you, very much, Mr. Callahan. I shouldn't let this time go by without thanking you, the members of the Commission and the hosts we have here. We have fine facilities and everything has been done to make this a first-rate hearing and we appreciate it.

Mr. CALLAHAN. Thank you, very much.

Senator EVANS. I won't give you credit for the weather. I don't think you'd want to take credit for that. But even that was nice.

Next, Fred Holly, chairman of the Klickitat County Board of Commissioners.

STATEMENT OF FRED HOLLY, CHAIRMAN, KLICKITAT COUNTY BOARD OF COMMISSIONERS

Mr. HOLLY. Thank you, Senator Evans.

This testimony is respectfully given to Senator Dan Evans, expressing our concern on matters relating to the Columbia River Gorge. The basis for our concern is that Federal legislation is not needed, that the Gorge can be managed locally, that Klickitat County is currently administering and enforcing a zoning ordinance which contains a zoning district known as the Gorge protection overlay zone which has been in force since November 1981, and the provisions of this overlay zone are representative of good planning, particularly with regard to local citizen participation in the planning process.

The tone of some statements presented by various individuals that because of the proximity of the Gorge to the Portland-Vancouver metro area, and the fact that residents of the area recreate in the Gorge, there is a need to establish a Federal park to protect the area for these people and secure Federal money to develop facilities for their enjoyment. This would not appear to be in the national interest, expecially when considering that the Gorge has always been used by visitors, with services made available by State and local agencies and individuals. The fact that visitors who come to the area should offer sufficient evidence that we who live in the Gorge have been doing a good job in taking care that it has and will remain a nice place to live and visit.

To say that the Gorge is threatened by uncontrolled development is to admit ignorance of the many and varied controls on development that currently exist on land and people within the Gorge. In Klickitat County alone the following controls are in force: Comprehensive plan, shoreline master plan, platting regulations, zoning, including a Gorge protection district, environmental regulations, flood plain restrictions and a policy which prohibits surface mining on exposed or unscreened slopes within the Gorge. No development is allowed which is detrimental to the scenic beauty of the Gorge in those areas lying within the Gorge as defined by State statute and outside incorporated and unincorporated communities and industrial area.

The visual impact on the Gorge from farms, orchards, forest production, cities, and towns has been minuscule when compared to Federal dams, transmission lines, and highways. The major contributor to changing the character of the Gorge has been the Federal Government, a governing body which exempts itself from local plans and regulations.

We take issue with the statement that the Federal Government should be the single arbiter to resolve differences between management practices of the various government jurisdictions in the Gorge. There are alternatives which would serve the same purpose and be more responsive to local and regional concerns, and it appears that the governors of both Oregon and Washington have recognized this.

The present and future management of the Columbia River Gorge has created a great deal of controversy and has caused emotions to run very high, to the point that at times I'm sure there are those who believe that the problem cannot be solved at any level, whether it be local, State or Federal.

We, the governing body of Klickitat County, have always worked in a spirit of cooperation with other municipalities in attempting to bring about workable solutions to the concerns within the Gorge.

Now I'd like to bring to your attention some vital statistics. The voters of Klickitat County just day before yesterday had the opportuntiy to cast their preference on a commissioners' referendum that we placed on the ballot. Out of 5,913 votes cast, 3,731 vote for local control. That's 62 percent. There were 1,926 votes for a combination of local and Federal control. That's less than 31 percent. Only 256 people voted for Federal control only. That's less than 5 percent. There's yet in excess of 800 absentee ballots to be counted.

But, above all, the most important consideration to be given is the protection of property rights of the owners within the Gorge. After all, they are the ones who have kept it diversified, a beautiful place to live, by living, working and paying taxes in this area.

Thank you.

Senator EVANS. Thank you, very much, Mr. Holly. Next, Glenn Palmer, Hood River County commissioner.

STATEMENT OF GLENN PALMER, COMMISSIONER, HOOD RIVER COUNTY BOARD OF COMMISSIONERS

Mr. PALMER. Thank you, Senator Evans, for allowing me to appear before you today though I reside on the south shore of the Columbia River. I'm Glenn Palmer, a Hood River, OR, County commissioner. I'm authorized to speak officially as to our position on the scenic protection of the Columbia River Gorge.

Previously I have represented our commission while working with Washington State commissioners Benson, Callahan, Holly, also representative of Multnomah, Wasco, and Clark Counties. We have worked together for about 4 years in a common effort to allow local control of the destinies of our constituents. I have made presentations similar to this one to Senators Gorton and Hatfield; Congressman Morrison; both Smiths, Denny and Bob; additionally, we've met with Governors Spellman and Atiyeh; however, Senator Packwood would not allow me to testify at his gorge hearing.

While there's a significant difference in property ownership between Washington and Oregon, we do have a common bond. The officials of Hood River County are just as opposed to Federal control of the Columbia River Gorge as are the officials of Skamania and Klickitat Counties. Although 88 percent of the legal gorge area in Hood River County is in public ownership, we jealously guard the property rights of the owners of the remaining 12 percent which is in private ownership. We want local control of the land on which our homes are build and our meager economics are based. We can and will work with other local governments to keep the gorge scenic without destroying its slender economic base.

For the record, I will read excerpts from the Hood River County Board of Commissioners meeting of March 21, 1983.

> Motion made by Commissioner Palmer, seconded by Commissioner Schock, to endorse the concept of the management of the Columbia River Gorge as outlined by Governor Atiyeh and Governor Spellman. The motion passed unanimously.
>
> Motion by Commissioner Palmer, seconded by Commissioner Schock, authorizing Chairman Murray to contact Governor Atiyeh and advise him of the concern of the Board of Commissioners relative to discussion with local governing bodies prior to finalizing legislative action. The motion passed unanimously.

Now, these motions must not be interpreted as a welcome for any form of Federal legislation for gorge management. They're solely indicative of our preference when faced with the infamous and totally unacceptable Packwood bill.

If any single party has desecrated the gorge it is the Federal Government, not the 41,000 residents of the area. Neither the residents nor the Portland-based preservationists want more Federal eyesores. With local controls, remote bureaucrats will have little opportunity to dream of empire building.

I am also presenting additional printed testimony that is too long for oral presentation. One is a newspaper projection on the land use problems involved and the ultimate result if the Broughton Lumber Co. were to propose building their flume today. It is a factual story and well worth reading. Another article is an Oregon newspaper's praise for the manner in which Skamania and Klickitat County commissioners have acted when faced with inappropriate proposals for land use in the gorge. This is quite different from the sort of publicity engineered by the Friends of the Gorge and printed in the Oregonian. The last is from the Oregonian written be Gertrude Glutsch Jensen, the original leader in preserving the grandeur of the gorge. For 16 years she chaired the Oregon Gorge Commission. She spearheaded the acquisition of more than 3,000 acres of scenic property without a single threat of condemnation. She did this when most of today's preservationists were schoolchildren, but her beliefs are valid today. She concludes that neither the Packwood bill nor the legislation proposed by the governors is necessary or desirable.

My concluding statement is of a more personal nature. I moved 2,500 miles in order to live in this magnificent scenic area. I could have moved less than 30 miles and settled in the also beautiful but federally controlled Cuyahoga River Valley between Cleveland and Akron, OH. However, after 35 years of Federal employment I've had all the Federal controls I can stand in one lifetime.

Most of the land in the Oregon Gorge is in public ownership and the balance under L.C.D.C. restraints. Obviously, Oregonians living in the gorge are forced to appeal to the elected officials in Washington State for help when we plead for local control of the Columbia River Gorge. I would hope that you will assist all of the residents of the gorge to keep their inherent rights as property owners to self-government.

Thank you.

[Material submitted by Mr. Palmer follows:]

PROPOSAL OF GOVERNOR ATIYEH AND GOVERNOR SPELLMAN FOR MANAGEMENT OF COLUMBIA RIVER GORGE:

Motion was made by Commissioner Palmer and seconded by Commissioner Schock to endorse the concept of the management of the Columbia River Gorge as outlined by Governor Atiyeh and Governor Spellman

Commissioner Palmer stated that leglislative language is being prepared and it might be timely to contact Governor Atiyeh and ask that serious coneideration be given to interviewing the local governing bodies within the Gorge prior to finalizing legislative language. Commissioner Routson stated that he agrees that this would be advisable as he agrees with the concept but has some questions. Commissioner Schock stated that he also agrees with the concept. Commissioner Palmer stated that Governor Atiyeh should have his select committee contact the local govenments who will be involved with the plan.

Vote on the motion was as follows:

Commissioner Schock - yea
Commissioner Palmer - yea
Commissioner Curtis - yea
Commissioner Routson - yea
Chairman Murray - yea

Motion unanimously carried.

Motion was made by Commissioner Palmer and seconded by Commissioner Schock authorizing Chairman Murray to contact Governor Atiyeh and advise him of the concern of the Board of Commissioners relative to discussion with local governing bodies prior to finalizing legislative language.

Commissioner Schock stated that prior to meeting with the Governor or his staff the Board of Commissioners should review each item in the information submitted. Commissioner Palmer stated that the motion only authorizes the Chairman to contact Governor Atiyeh and a work session could be schedûled to address the concerns. Commissioner Routson stated that he agrees that a work session is needed to address the concerns.

Commissioner Schock stated that one Commissioner should attend the hearing scheduled by Senator Hatfield and make a statement into the record that the Hood River County Board of Commissioners supports the management concept proposed by Governor Atiyeh and Governor Spellman

Commissioner Palmer stated that the Governors' proposal provides for more local control than does the Packwood Bill. The Governors' proposal provides for enforcement of goals by the local governing bodies.

Commissioner Schock stated that with the Federal legislation, the Gorge should receive some type of national designation and be so designated on maps

Commissioner Schock stated that he would prefer that the testimony at the hearing scheduled by Senator Hatffeld indicate that the Board of Commissioners

Vote on the motion was as follows:

Commissioner Schock - yea
Commissioner Palmer - yea
Commissioner Curtis - yea
Commissioner Routson - yea
Chairman Murray - yea

Motion unanimously carried.

Flume hearing: A fantasy

By W.B. EAKIN

Driving slowly up the gorge on Interstate 84 last weekend, I glanced across the river as everyone does, and caught a glimpse of a familiar, trestle-like structure on the Washington side of the Columbia.

It was the famous Broughton Lumber Co. flume — you know, the one that carried "Lassie" on a trip during a television series filming some years back. It's also the same flume that is periodically featured in magazines and other publications, some of them with international circulation, as one of the area's unique attractions. Usually noted as the only flume of its kind remaining in operation, the famous flume triggered thoughts on what would happen if it were being built today. Let's take it to the planning commission.

Chairman: "Let's see, it's 7:30, the time scheduled for a variance proposal by Mr. Broughton to build a flume structure over an easement he holds from the Columbia River waterfront to mill property he owns to the north. Can we have a staff report?"

Planner: "Mr. Broughton has proposed a frame structure, three miles of which lies within the gorge overlay zone, linking property at one mill site with another. He proposes to transfer rough lumber from a mill to be constructed in mountainous terrain down to a finishing and shipping point on the Columbia River.

"He has applied for an exception to the overlay zone, and a variance to the exclusive forest and scenic area zones which apply to the areas through which it passes. He also will seek contruction permits for mills at two sites, one in the gorge overlay zone, the other on Broughton-owned property to the north in a forest zone. An environmental impact statement has been filed on the project noting effects of stream diversion, contruction effect on fragile forest soils, noise factor at the mill sites, and aesthetics. Staff observes that the applicant has failed to provide for screening and landscaping at the river mill site, and that he has failed to provide for materials in the flume, and design that will harmonize with the surrounding landscape.

"It is our finding that the flume, which traverses several miles of scenic area, would be visible at some points from both sides of the Columbia River.

"Staff recommends against granting the variance based on its failure to comply with zone and scenic standards."

Chairman: "Thanks, Charlie. Now we'll open the hearing to public testimony. First we'll entertain testimony in favor of the proposed project. Mr. Broughton?"

Mr. Broughton: "Well, this is all kind of new to me. What I want to do is build this flume — we'll use lumber and timbers cut at our mill in the hills — then we plan to divert water from the creek into the flume when we float unfinished lumber down to our main mill on the river.

"We've spent most our money to date on that environmental pact statement, or whatever, so we're a little bit pinched as to how much we can spare on the flume. But once we're in operation, I figure we can pretty it up the way you folks want it. It'll be made out of raw timbers, and it should weather real fast.

"What we want to do is put in two mills so we can harvest timber we own on the mountain, and then we'll also be able to bid for Forest Service timber. I figure all told we'll provide jobs for a hundred to two hundred people, when you figure in logging operations and support crews.

"All in all, we think it will be good for the area, what with so few jobs available here, and all."

Chairman: "Thank you, Mr. Broughton. Any more testimony in favor of the project?"

John Logger: "Yes, Mr. Chairman. I'm John Logger, and I see this as a real important project for people like me. I have to haul all the way to Randle now, and this would be a natural place to handle timber harvests from this area. Besides, there are a lot of people out of work here, and we need something bad. That flume is the answer to a riddle that's been troubling us for years."

Chairman: "Thank you, Mr. Logger. Any more testimony in favor? Hearing none, I'll ask for testimony against."

Sarah Wilderness: "Thank you. I'm Sarah Wilderness, and I object to the aesthetic pollution this proposal will inflict on our gorge area. I've brought a sketch to illustrate what this flume is going to look like. You'll notice in the open, rocky areas on the pristine rock slopes, it will impose a cross-hatching of wooden timbers like a railroad trestle along a stretch of several miles. It will be clearly visible from the sternwheelers on the river for practically its full length on the face of the gorge.

"Moreover, it will be in violation of the gorge overlay provisions established by the state and local guidelines. The mill is proposed as a nonconforming use in a sensitive scenic area.

"More than that, it is built in an area that will disturb a wetland, not only at the mill construction site, but through noise and effluent from the mill. The flume will artificially divert water from its natural stream bed, causing disruption of the environment. Thank you."

Chairman: "Any more testimony against? Hearing none, I'll close the public portion of the hearing and ask for commission discussion of the proposal."

Commissioner Rose: "Mr. Chairman, we've heard a lot about jobs here, but I think we've got something else to consider. You're talking about people who will be working seasonally, and they're going to be a burden on the county the rest of the year. This is not the kind of jobs I feel we want to create here, they're marginal jobs that will cost more in social services than anything else. It's going to increase the pressure on our fire and sheriff's departments."

Commissioner Iris: "Mr. Chairman, you know we spent a lot of time setting up our zoning in this area, there was a lot of public testimony, and Mr. Broughton never came forth to ask for commercial zoning when this was all going on. I think this is late, what with all these other points being made, to be blotching up the landscape."

Chairman: "Any more comment from the commission? Hearing none, I'll ask for a vote. Thank you, the vote is unanimously against allowing this variance. Mr. Broughton, you have the right to appeal, and have 30 days to file for reconsideration by the county commission. I'll ask each commissioner to submit his findings of fact, which will be made available to Mr. Broughton next week — yes, Mr. Broughton?"

Mr. Broughton: "Well, I don't guess I'll be appealing. I can't afford another thing like this, besides, I got another site over in the Cuspice Hills where the same kind of set up will work. Thanks for considering my request."

And that's the way it was, so the scene continued undisturbed down through the years as tourists continued to enjoy the unspoiled gorge. Later:

Mr. Tourist: "Isn't this gorge scenery beautiful, Lottie? I've never seen anything quite so beautiful — it's too bad there isn't someplace to stop overnight here — no stores or people."

Lottie Tourist: "That's right, John. It's really pretty here. But I'll tell you what really fascinated me yesterday. Remember that trip through those beautiful Cuspice Hills? And that tour of the mills and that unusual flume? They tell me it's the only mill flume of its kind remaining active in the United States. It's a real piece of history. I'll always remember that friendly young Mr. Broughton that showed us through the mill. I'll bet he's a real credit to his community."

Voices unheard

To the Editor: Students of the Hood River school system missed a rare opportunity to broaden their understanding of civics (Feb. 10). They could have compared the textbook concept of the democratic process vs. the way things are in the real world.

The occasion was a public hearing held by Oregon Sen. Bob Packwood. The subject was supposed to be the possible economic impact of Packwood's proposal to turn the Columbia River Gorge land use management over to the federal government.

According to textbooks, the purpose of a local public hearing is to ascertain opinions of the local citizenry in regard to legislation that will affect them. For the education of students who missed a practical lesson of democracy in action, following is a synopsis of the four-hour session:

Packwood's staff selected five groups, consisting of 17 people, to read prepared statements into the record. Not one person, either public figure or private citizen from Hood River County or Wasco County, was allowed to speak. The sole Oregon elected official who testified was the county executive of Multnomah County, who is a card-carrying member of the Friends of the Gorge.

Also testifying was the economic development manager for Vancouver, Wash.

Both men told of the importance of tourism in the Gorge to the economy of their cities, but said not one word as to the effect on the governmental entities within the Gorge.

Members of the closing panel were the coup de grace. They represented five environmental organizations.

From an economic viewpoint, I noted that fewer than a dozen of the 250 people in attendance purchased a luncheon sandwich during their visit to Hood River. Packwood was too busy listening to supporters of his legislation to notice the actual economic impact on the local economy from these visitors to our area.

Senior and junior students who missed this lesson in civics should remember that all is not gold that glitters, nor is a public hearing an event at which a citizen can speak on his own behalf, despite what textbooks state or teachers proclaim. It might be appropriate to raise a question the next time one is told that it is only in communist countries that the voice of the man in the street is suppressed.

As I compose this Feb. 12, the stirring I hear in the background is the sound of Abe Lincoln whirling in his grave as he mumbles, "a government of the people, by the people and for the people has vanished from the Columbia River Gorge."

GLENN E. PALMER,
Commissioner,
Hood River County,
County Courthouse,
Hood River

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4 Wednesday, Dec. 7, 1983, Hood River News, Hood River, Oregon

Viewpoint

Coin's other side

More often than we'd like, horror stories about efforts by the people who live in it to despoliate the Columbia River Gorge are publicized by advocates of outside protection.

They love to allow some local official to make a remark about how we live in the gorge because we love it and care for it. Then in the next sentence the same official is credited with approving a subdivision or a trailer court alongside the Columbia River, or on a scenic bluff overlooking the gorge.

The now-defunct Rizor subdivision across from Multnomah Falls received all kinds of publicity before it was finally purchased by a conservation group. The other side of the story seldom gets any ink, but it should.

For example, during November Klickitat County Commission members unanimously supported the county's gorge overlay zone during a review of the ordinance. According to Gorge Notes, publication of the Columbia River Gorge Commissions, Steven Anderson, Klickitat planning director, reported the ordinance has been effective and well received by residents, including permit applicants.

An application in Skamania County by Knappton Corp. to clearcut an island and plant cottonwoods as replacements was rejected by the Washington Department of Natural Resources after Skamania County objected to the timber harvest, because it is contrary to its Shorelines Master Plan, which designates the island as a natural environment.

In yet another case, Klickitat County rejected a request to rezone 20 acres of Burdoin Mountain east of Bingen from "Open space 20 acres" to "General rural, five acres" following a Nov. 21 hearing. The county commissioners found the proposed rezone was inconsistent with the intent and purposes of its gorge protection zone. The planning commission considered it and sent it on to the county commission without a recommendation. The planning staff called a "spot zone" which is not in the best interest of the welfare of the community. The report questioned the precedent the rezoning would set for five-acre zoning within the bluff area of the gorge, and recommended denial.

Commissioners said the land is not suitable for five-acre development. The Columbia Gorge Commissions testified it was inconsistent with guidelines for future residential growth in existing communities, and that it jeopardized the county's entire gorge protection program. County commissioners listened, and agreed.

County commissioners in this area have a difficult job. They feel a certain responsibility for economic health of their communities as a factor to consider along with stewardship of the gorge resource. It is only fair to note that they aren't dedicted to destroying the gorge, contrary to what some would like to have the outside world believe. So examples showing they really do care, and make an effort to preserve the beauty of their areas, deserve more recognition than they receive.

THE OREGONIAN, WEDNESDAY, DECEMBER 14, 1933 C11

Forum

Skamania County true target of gorge preservation legislation

By GERTRUDE GLUTCH JENSEN

In my opinion

PRESERVATION of the Columbia River Gorge has been a subject close to my heart for decades, but I am opposed to any federal legislation including the right of condemnation and to any National Scenic Area legislation restricting a person's right to build and enjoy properly landscaped homes on their property in the Columbia River Gorge.

I assisted in the acquisition of more than 3,000 acres of scenic property on the Oregon side of the river, and this was accomplished by friendly exchanges. Not one trade was forced by threats of condemnation.

When my support was solicited for legislation by Sen. Bob Packwood, R-Ore., I was told only that it is a bill to secure the preservation of the gorge. As presented, that sounds reasonable.

But while the bill professes to embrace an extended area in five counties on both sides of the Columbia, it obviously is aimed almost exclusively at Skamania County in Washington. Tucked away in fine print are provisions that would disenfranchise most of the citizens of Skamania County and place almost every home and piece of property within view of the river into a federal preserve.

Only those persons living within the narrow limits of two incorporated towns, Stevenson and North Bonneville, would be able to move, build a home or alter an outbuilding without the approval of a cumbersome committee armed with full federal authority, including the right of condemnation.

Sponsors of the bill remark casually that only a few critical areas would be involved, but a glance at the map accompanying the bill — a map that has not been circulated publicly — shows almost the entire stretch of Skamania County from Cape Horn to the Klickitat County line is the critical target.

With the exception of certain federal park and game refuge takeovers, nothing quite like that has happened in the United States. This bill is aimed at living, thriving communities that have proved themselves capable of safeguarding their heritage without a federal takeover.

It was appalling when Washington state residents, including a state senator and two state representatives from the affected district, were denied the right to testify at a hearing on the bill conducted by Packwood in Hood River.

It further was distressing to observe the treatment accorded George Rizor when he proposed to develop a number of homes on the Washington side of the river on property he had owned for more than 20 years.

Rizor was not attempting to defile a virgin setting. Years ago, his property was the site of the Kendall estate with well-groomed grounds. It was certainly no eyesore. Rizor's modest proposal would have placed some 25 carefully landscaped homes on some 67 acres of shorefront and hillside.

Before the purchase of his property by the Trust for Public Lands, Rizor had been harassed almost to bankruptcy by litigation inspired by Oregon zealots and financed by contributions from well-meaning but ill-informed citizens. Continued threats of litigation have been leveled at anyone who presumes to plan a home in view of the Oregon shore.

Why should there not be homes on the Washington side of the Columbia? Since cataclysmic upheavals formed the great gorge, man has made it his home. It has been the Pacific Northwest's major artery of commerce and travel, and it has been a living, vibrant geographical entity and not just a sterile landscape.

The Washington side, and specifically Skamania County, is the true target of the proposed federal legislation, and yet it is Skamania County, above all others, that merits praise rather than condemnation.

Of the five counties, Skamania has done the best job of keeping out unsightly and polluting industry, and its steep cliffs and rugged escarpments preclude the type of ticky-tacky residential development that has blighted so much of Oregon.

Backers of the proposed federal takeover have spent hundreds of thousands of dollars, mostly from public donations, to mount a well-orchestrated campaign of hysteria. In this they have been supported by the Portland media.

The original concept of the Columbia Gorge Commission was as an advisory body, formed to alert the public of any threat to the environment, with the confidence that the people would take proper steps.

Instead, it appears to be developing into a supralegal body with a paid staff that is attempting to usurp the authority of elected officials and even to participate in legal actions against those who would build homes in the gorge.

This has been a difficult period for all who live in or own property in the affected areas. Outsiders, mostly Oregonians, have decided that the great temple that is the Columbia Gorge should be looked at but not lived in and that there should be no homes and yards and children at play on the banks of the matchless river.

Neither the Packwood bill nor the complicated two-state legislation proposed under pressure by the governors of Oregon and Washington is necessary or desirable.

Federal agencies should be authorized to engage in land swaps with private owners of the few truly critical areas on a free-will basis and without the power or threat of condemnation. This was once possible and could be again.

The gorge commissions representing the two states should continue in an advisory posture, as originally intended, and should refrain from taking legal, adversarial positions against elected government bodies. The effectiveness of the gorge commission in no way would be diminished.

Hopefully, the Columbia Gorge controversy soon will be a thing of the past and residents on both sides of the Columbia will be free to live in and enjoy this masterpiece of nature.

Gertrude Glutch Jensen served for 16 years as chairwoman of the Oregon Columbia Gorge Commission.

HOOD RIVER
FRUIT RECREATION INDUSTRY
COUNTY

MICHAEL NAGLER
PLANNING DIRECTOR

309 STATE STREET
HOOD RIVER COUNTY COURTHOUSE, ROOM 101
HOOD RIVER, OREGON 97031

PHONE 503-386-1306

PUBLIC AND PRIVATE OWNERSHIP FIGURES WITHIN THE COLUMBIA RIVER GORGE BOUNDARY (ORS 390.410-390.460) THAT ARE ZONED COLUMBIA GORGE COMBINING AND PLANNED AND ZONED SCENIC PROTECTION, HOOD RIVER COUNTY, 1984.

(Figures are general)

	Acres±	Square Miles±	Percent±
Private	3,051	4.77	12%
Public	22,020	34.40	88%
GRAND TOTAL	25,071 Acres	39.17 Square Miles	100%

Senator EVANS. Thank you, very much.

Mr. Buchanan, in your view, I think you stated it accurately and well in saying that we need to preserve the gorge, we need to do it quickly and we need to do it fairly. You went on to talk about a strong Federal presence. Is it your view it's not possible to do it in any other way or that's just the easiest way to do it?

Mr. BUCHANAN. I think it's not possible. I think that's been demonstrated in the last decade, certainly in the last 5 years since concern and interest in this area has been developed. Certainly our legislature is not going to deal with the problem in the next session. As you may be aware, we just had a major fight over a property tax limitation measure in the State and I think the legislature is going to be occupied with developing a new tax system and a sales tax plan. The State is also very short of money now. There's going to be big demands on the State to do more in the area of corrections and health care for the indigent. So, the legislature is simply not going to deal with it.

Your assessment of the situation in the State of Washington I'm sure is better than mine. But, I think the priorities and emphasis the Washington State Legislature is going to place on this problem is going to be far less than what the Oregon Legislature is going to do about it.

I think also just the logistics of trying to get agreement from all the different juridictions that are involved just rules out any kind of strong, firm plan that would really be effective. I think we're just going through the motions of talking about it. I don't think it's going to get done or I wouldn't be suggesting a Federal approach.

Senator EVANS. You suggest the property tax problems of Oregon and the tax problems of the various States, and I presume that's in the difficulty of gaining necessary funding at the State level for the kinds of things that need to be done.

Mr. BUCHANAN. I don't think there's a chance in the world of any major funding proposal coming out of this session. So, with the Oregon Legislature meeting every 2 years, you're talking about getting absolutely nothing done about this problem for another 4 years at the earliest.

Senator EVANS. I should point out to everyone and remind everyone that the Federal Government currently is in nowhere near as good financial shape as any of the 50 States of the Nation. If we only had a balanced budget, I would cheer.

Mr. BUCHANAN. I think if the Federal Government reorders its priorities, as I think it's about to begin to, then it's in a better shape than local jurisdictions to do anything about it.

Senator EVANS. Not until we eat $200 billion. One of the other things that we——

Mr. BUCHANAN. I recognize it's a problem, Senator, and a very difficult one. The problem is there's never a right time for these things. It's just a question of whether we're going to preserve the gorge or not. I recognize that it's a one-time-only commitment that is going to serve us for generations, for ages. I know it's a tough one. As Mark Twain said, I think wisely, buy land, they're not making any more of it. They're certainly not making any more areas like the Columbia Gorge. I think despite the problems we have in funding, our chance is now, and it's fading rapidly.

Senator **Evans**. We should note in passing that we now have currently at the Federal Government level over $2 billion in backlog of authorized but unacquired lands already in various units of the National Park System, the National Forest System, the Wildlife Refuge System, and the Wild and Scenic Rivers System. So, to the degree we add more in any kind of Federal gorge legislation, I presume that it would take its place somewhere in that priority list. But, we ought to recognize that there's already $2 billion of authorized but unacquired lands in the Federal inventory. Makes it kind of tough.

Mr. Callahan, we've already had testimony and I suspect we'll have more during the course of the day that talks about the lack of zoning. In your testimony, you mentioned that Skamania County is now in the process of developing a zoning law. Could you describe that a little more, what the timing appears to be on it, and how effective you think that will be in terms of some of the needs we're talking about?

Mr. **Callahan**. At the present time, Senator, the proposed zoning text is being reviewed by a professor at Washington State University for the legalese in it, if you will. Once that is returned to us and public hearings are held, the county will make a determination whether or not they will zone. It also has in it a gorge overlay protection zone quite similar to that of Klickitat County, and the respective gorge commissions have passed on that particular zone and I have no reason to believe they wouldn't pass on the one we're proposing.

Senator **Evans**. Mr. Palmer, to your knowledge, is there a similar gorge overlay provision on the Oregon side in the various counties within the gorge?

Mr. **Palmer**. All three counties, Multnomah, Hood River, and Wasco Counties, have gorge overlay zones at the present time in their comprehensive land use plans, yes.

Senator **Evans**. Could you describe for me what the nature of that overlay zone is and what it does in terms of the lands it affects?

Mr. **Palmer**. Well, it affects all status of lands, whether it's forest, E.F.U., or residential, commercial, and industrial. It allows the usages within the urban growth boundaries to stay within the prescribed limits of urbanization and so forth, but they place added restrictions on any development outside of the urban growth boundaries such as in the E.F.U. and the farm zones which are actually the balance of the whole overlay zone.

Senator **Evans**. What is the nature of those restrictions?

Mr. **Palmer**. Well, they have to appear in front of the planning commission and try to seek variances, changes of zoning, or something like that, based upon the appropriate use of the property. To date almost everything, except one exception, a piece of commercial property, has been denied for development purposes.

Senator **Evans**. How long did you say this has been in effect in Hood River County?

Mr. **Palmer**. Well, this has been in effect to various degrees for a period of close to 10 years. It's been, of course, more intense in the recent years.

Senator **Evans**. Has it been amended during that period of time? And, if so, has it been amended to make it more restrictive, less restrictive or what?

Mr. **Palmer**. Within the gorge, with the sole exception I mentioned earlier, it has probably been more restrictive as time goes on. A more recent development that comes to my mind was a proposed subdivision into 2½-acre plots. It was turned down. It was not approved by either the Oregon Gorge Commission or any of the other appropriate agencies and it was declined to accept the proposal. On the one commercial change that was made, this was done with the endorsement of the Oregon Gorge Commission, to remove or hopefully remove what is an eyesore of a gravel pit that's very apparent from both sides of the river.

Senator **Evans**. It would be helpful if you could submit for the record later a record of what has happened—how many applications for variance there have been, how many have been turned down, detail on the one you just mentioned that has been authorized.

Mr. **Palmer**. Well, as I said in my testimony, taking recognition of the fact that there's only 12 percent or 3,000 acres that is in private ownership, there is very little action in Hood River County in this regard. But, I will supply you with that.

Senator **Evans**. That would be very helpful. But, that's a good point, there isn't much to modify.

Mr. **Palmer**. There's nothing we can move on.

Senator **Evans**. Yes; what about the experience in Klickitat County with your overlay provisions? How long has it been in effect? Approximately how many applications for variances have you had? How frequently are variances granted? It would be helpful to have that submitted later unless you have some accurate information now.

Mr. **Holly**. The gorge protection overlay zone has been in place since November 1981. It's scheduled to sunset in November 1985. But, we've had a good working relationship with that and at this time we in no way intend to let it sunset out. We'll bring it back into place.

In Klickitat County there's about 95 percent of the property along the gorge that's in private ownership as opposed to just the flop of that in Skamania County. So, we have a great deal of land mass that is within the gorge.

Quite frankly, we're having very little difficulties dealing with short plat proposals, and so on. As a matter of fact, we've had very few short plat proposals since 1979. There's been a few crop up, but very few, and we're dealing effectively.

Senator **Evans**. OK.

Mr. **Holly**. I can supply a complete text of the overlay zone if that would be helpful.

Senator **Evans**. Well, yes; I think that would be helpful. This is an interesting concept, and it would be helpful to have some very brief statistical measurement of how many applications for variance there have been and what's happened to them during that period of time.

Mr. **Holly**. It's interesting to me and I'm proud to have been part of that process. I hear it alluded to quite occasionally because

Klickitat County does have an overlay zone, and I think most of the municipalities and government agencies recognize that we do have that process in effect, and we're proud of that.

Senator EVANS. Mr. Callahan, again you are in very much the same position as I guess Hood River County, across the river. What percentage again of Skamania County is in public versus private ownership?

Mr. CALLAHAN. There's only 8 percent private, taxable land in Skamania County. I have a map back there and I wanted to present it, but in the interest of time, I'll just give it to your staff.

Senator EVANS. That would be helpful.

Mr. CALLAHAN. When you eliminate the Federal ownership, the State ownership, the large timber companies as well as slopes of over 30 percent in this county, you have less than 10,000 acres of private ownership left. That's not including the existing communities, of which there are 10. So, that map demonstrates that. If you find time later on in the day, you might want to take a look at it. It really demonstrates the lack of building property or building lands in the gorge, in our portion of it.

Senator EVANS. You mentioned compensation for land removed from the tax rolls. Isn't there currently compensation that comes to the county as a result of the harvest of timber on both Federal and State lands within the county?

Mr. CALLAHAN. Yes; there is.

Senator EVANS. What percentage of the amount of money you can use for public purposes does this represent?

Mr. CALLAHAN. Of the—for—Linda Lethleand probably should addresss this, but——

Senator EVANS. Well, perhaps you can get it for us later.

Mr. CALLAHAN. I can.

Senator EVANS. I wouldn't expect that you would have it immediately. But, is it a significant portion of the amount of money necessary to provide basic services in the county?

Mr. CALLAHAN. Without the Gifford Pinchot National Forest, the receipts that we receive from them, as well as the DNR, this county would have to close up.

Senator EVANS. Yes; Mr. Palmer?

Mr. PALMER. Senator Evans, in regard to your last question, over in Oregon the moneys that we receive through the timber receipts are, by law, channeled only to our roads and to our school systems. Therefore, any timber receipts that we receive do not have any favorable impact on the general fund under which the county operates. I'd like to clarify that.

Senator EVANS. I understand those restrictions. It does loosen up the other area, so I suppose it's——

Mr. CALLAHAN. That used to hold true for Skamania County, but Representative Morrison had legislation introduced on Mount St. Helens that affords us the other avenue to travel. I'd like to allude to one more thing, Senator, and that is that the Association of Counties in this State, the western district as well as the Puget Sound, adopted this resolution at their last meeting for local control throughout the State. I have no reason to believe it won't pass at the State convention. I'd like to leave a copy of that with you.

Senator EVANS. Thank you, very much.

Mr. PALMER. The Association of Oregon Counties is on record for the same type of resolution for local control.

Senator EVANS. All right, good, thank you. Yes, Mr. Holly?

Mr. HOLLY. I have one request to make, Senator. As you work through this process in developing some guidelines, legislation or whatever, we would request of you that we be involved a little more than we have been asked to be in the past in developing legislation. I think it's important that it come from the grassroots level, and we do represent the people out there.

Senator EVANS. Well, we certainly expect to do that. If I didn't know already, and I think that I did, I certainly know from the crowd that's here today and their interest that it is vital and it's something we need to have the best input we can find. We're in essence starting fresh. There are ideas which have been introduced before, but there are no bills that hold over. We start fresh now, and that's what we're trying to do, to see if we can start fresh in a productive way.

Mr. HOLLY, We appreciate that.

Senator EVANS. I might at this point, in fact, introduce Tom Winn who is on the committee's staff and represents Senator Hatfield. Linda Mason is here, Joe Mentor of my staff, Tony Bevinetto is the boss man representing the Committee on Energy and Natural Resources. So, we're all interested in this and certainly will take your comments to heart.

Thank you, very much.

If we can go now to county government panel No. 2, and then the local government panel. Walline Fuller, Mike Johnson, Ethel Lehman, Ken Hobson, Bill Hemingway, William Macht, Pollard Dickson, and Ethan Seltzer, get ready.

Let's start with Robert Leick, Skamania County prosecutor. I'm sorry I did you wrong when I read the names the first time.

Mr. LEICK. Thank you, Senator Evans. That's all right, I once had some raw chicken for you when you were running for Governor.

Senator EVANS. Well, that's somewhat better than no chicken.

STATEMENT OF ROBERT K. LEICK, SKAMANIA COUNTY PROSECUTING ATTORNEY

Mr. LEICK. Senator, the commissioner told you about our recent election but he didn't have the figures with him, so because we won't allow applause meters in here I think you ought to know that 2,567 Skamania County voters want local control, 182 want something similar to Senator Packwood's bill and 139 would like something similar to the Governors' bill.

I am Bob Leick, Skamania County prosecuting attorney. I thank you for the opportunity to testify. There is a perception in the metropolitan areas of Washington and Oregon that the critical scenic areas of the Columbia Gorge are being developed. This is an image of urban sprawl creeping up the gorge and has been conjured up by the Friends. Their hype is accomplished by announcing legislative proposals to turn the gorge into a Federal reserve. The proposals contain moratoriums on all building and land divisions. Provisions are placed in the proposals for condemnation of privately owned land. Some event, such as a new bridge across the Columbia, is given as a reason why the now scenic and peaceful gorge is in immediate danger of being developed.

All proceedings relating to the proposed legislation are delayed for years to provide time for their seeds to grow. They know that landowners faced with the proposition of selling to the Federal Government will soon realize that their land is more valuable if sold in subdivided lots than if sold by acre as undeveloped land. They know there will soon be several subdivisions underway, not because there is any market demand for the lots but because of the potential sale to the Federal Government.

Now the Friends are ready for the big push. They have evidence of urban sprawl in the gorge, the proposed subdivisions. Attention to the subdivisions is magnified by filing suits even though they know no homes will be built. They milk the issue in the press for all the mileage they can get by bringing multiple legal proceedings.

Having succeeded in conjuring up the image of urban sprawl, they are now confident that either the Oregon solution or the Washington solution will be enacted. The Oregon solution was exemplified by Senator Packwood's National Scenic Area. This standard, throw-money-at-it approach, put a massive Federal agency in charge, give them the power of condemnation, get rid of the dissenters, the people, and gradually the area will revert back to its natural state.

They believe that nature is only beautiful when it is devoid of human habitation. They say they are purists. People and their homes are not acceptable. They are benevolent enough to allow us to continue to live on our property—for awhile and in some cases. But, inevitably their goal is to eliminate the people from "their" gorge.

THE WASHINGTON SOLUTION

Washington's delegation, ignoring the resolution of our State legislature, ignoring the overwhelming vote of the local people, ignoring the platform of our State Republican Party, drafted a bill that is at best naive and at worst is a cruel hoax. It would create a new Federal agency made up in part of people from six affected counties. No matter that none of the people would be required to live in the gorge area directly affected. It could, for example, have Ma Anand Sheela as Wasco County's representative, and an elected fire district commissioner from Battle Ground in Clark County. What is even more pathetic is that this commission would be a stepchild. It would not be an Oregon commission, it would not be an established Federal agency, it would not be a Washington commission. None of these entities would provide funds for it to operate. The commission would use the only tool available to them, total moratoriums and confiscatory land use regulations. The bill designed to help Washington citizens is a hoax. Local people would be better off having the Federal Government condemn their land and pay for it than to be regulated out of it. Given the choice of the Oregon solution or the Washington solution is the same as being given the choice of dying by the electric chair or lethal injection.

PROPOSED SOLUTION

Recognizing that the Friends have done too good a job in conjuring up the urban sprawl image, and that politicians aren't likely to go away without solving this imaginary problem, I propose to proceed as follows: A coalition of existing, county, elected, executive bodies identify all critical scenic areas within the gorge; identify the ownerships of each of such vistas; prepare a comprehensive plan to acquire these critical scenic vistas; those areas already owned by Federal, State, or county government be preserved from development by exchanging county and State lands for comparable Federal lands in nonscenic areas; prepare a plan for the acquisition of the private lands using exchanges based on fair market value and by purchases on a willing-seller basis; identify all lands that are left within the critical areas that need to be acquired where the sellers are unwilling to sell, and first offer to purchase scenic easements over their lands; failing that, then and only then consider condemnation. The comprehensive plans must identify and preserve all existing communities whether or not they're incorporated in their natural growth boundaries, and if there is a conflict between scenic vistas and community growth, scenic vistas must give way.

FEDERAL LEGISLATION

It is important to note that all Federal legislation should affect only those areas defined as critical scenic vistas. There is no reason for a bill dealing with a 6-mile-by-80-mile corridor. Having acquired the ownership interest, no continuing Federal presence other than as a landowner would be necessary. In-lieu-of tax moneys must be provided to the local governments.

By following these procedures, perhaps the cloud that has been cast over this gorge for the past 5 years can be removed. We may even get the Salvation Army to give the Friends busfare back to their own homes, and Skamania County, like Wasco County, can return to normal.

Thank you. [Applause.]

[The prepared statement of Mr. Leick follows:]

TESTIMONY OF ROBERT K. LEICK

(Senate Hearing re: Columbia Gorge - November 8, 1984)

Stevenson, Washington

I wish to thank you, Senator Evans, Members of the Commission, and your staff, for the opportunity to testify today. I will discuss the problem, the proposed solutions, and suggest an alternative solution.

There is a perception in the metropolitan areas of Oregon and Washington that the critical scenic areas of the Columbia Gorge are under attack by developers. This image of urban sprawl creeping up the Gorge has been conjured up by the Friends of the Gorge. Their method of operation is one commonly used by Madison Avenue professional mind benders.

First the seeds of fear are planted by announcing federal legislative proposals turning the Gorge into a federal reserve. The proposals contain moratoriums on all building and land divisions. Provisions are placed in the proposals for condemnation of privately owned land and appropriations of federal dollars are provided for.

In the beginning they will find some event, such as a new bridge across the Columbia, as a reason why the now scenic, peaceful Gorge is in immediate danger of being developed. Then they will drag out all proceedings relating to the legislation in order to provide time for their seeds to grow. They know that land owners faced with the proposition of selling to the federal government will soon realize that their land is more valuable if sold in subdivided lots than if sold by the acre as undeveloped land. They know there will soon be several subdivisions under way - not because there is any market for the lots or any demand for the subdivisions, but because of the potential increase in value when sold to the federal government.

Now, the Friends are ready for the big push and they have, as evidence of urban sprawl creeping up the Gorge, the proposed subdivisions. Attention to the subdivisions is gained by filing suits even though they fully realize no houses will ever be built because the Trust for Public Lands will acquire the land before any homes are built. They milk the issue in the press for all the mileage they can get with their multiple legal proceedings. Having succeeded in conjuring up the image of urban sprawl they are now confident that either the Oregon solution or the Washington solution will be enacted.

The Oregon Solution

Senator Packwood's national scenic area, federal control, is the standard 'throw money at it' approach. Put a massive federal agency in charge, give them the power of condemnation, get rid of the dissenters (the people), and gradually the area will revert back to its' natural state. The Friends believe that nature is only beautiful when it is devoid of human habitation. They say they are purists. Lower animal forms are acceptable but not people and their homes. They are benevolent enough to allow us to continue to live on our property for a while, in some cases, but inevitably their goal is to eliminate people from "their" gorge.

The Washington Solution

Washington's delegation, ignoring the resolution of our state legislature, ignoring the overwhelming vote of the local people, ignoring the platform of our State Republican Party, drafted a bill that at best is a naive attempt to soften the impact on the local people and at worst is a cruel hoax. It would create a new federal agency made up in part of people from the 6 affected counties. No matter that none of these people would be required to live in the areas directly affected. It could, for example, have Ma Anand Sheela from Wasco County, or the Mayor of Rajneesh, an elected fire district commissioner from Battle Ground in Clark County, someone from southwestern Multnomah County School District, and etc. Even Skamania County's representative would not have to live in the Gorge. What is even more pathetic is that this "commission" would be an unwanted stepchild. It would not be an Oregon commission, it would not be an established federal agency, it would not be a Washington commission, and consequently, none of these entities would provide funds for it to operate. Thus, the entire stated purpose for creating the agency would be frustrated, which would be fine with the local people except that any agency with the power that this agency would have to control landuse will not let the lack of funds get in their way. They will simply use the tool that is available to them - total moratoriums and confiscatory landuse regulations. Thus, the bill designed to help Washington citizens is really a hoax. The local people would really be better off having the federal government condemn their land and pay for it than they would having a so-called local agency regulate them out of their land.

Yes, our delegation has disappointed us. We expected their help in fending off this undeclared war against Washingtonians by the big city elitists and environmental extremists. Billing this as the Governors Bill and representing to the people of this state that it is not federal control - that it just provides a method for local officials to work together - is deception. What this bill does is create a federal agency with no money - just the power to regulate, restrict, and drive off the people.

Given the choice of the Oregon solution or the Washington solution is the same as being given the choice of dying by the electrict chair or by lethal injection.

Proposed Solution

Recognizing that the Friends have done too good of job in conjuring up the urban sprawl image, and that the politicians aren't likely to go away without solving this imaginary problem, I propose that a bill be drafted that would require the 6 affected counties to proceed as follows:

(1) That a coalition of their existing county executive bodies be directed to identify all critical scenic vistas within the Gorge.

(2) Identify the ownerships of each of such vistas.

(3) That a comprehensive plan be adopted by the coalition of counties covering all of the critical scenic vistas; that those areas already owned by federal, state, or county governments be preserved from development by having lands owned by the state or county identified, appraised, and exchanged for comparable federal lands in non-scenic areas.

(4) Next deal with private lands and, again, appraise and exchange timber lands for comparable federal lands.

(5) Prepare a plan for the acquisition of the private lands based on fair market value - purchases on a willing seller basis.

(6) Identify all lands that are left within the critical areas that need to be acquired where the sellers are unwilling to sell and first offer to purchase scenic easements over these lands. Failing that, then, and only then, consider condemnation.

The comprehensive plans must identify and protect all existing communities and their natural growth boundaries. And, if there is a conflict between scenic vistas and community growth, scenic vistas must give way.

Having identified the areas, the problems, and the solutions, estimates as to costs can be made and a subsequent bill appropriating the funds necessary to accomplish these purposes can be completed.

It is important to note that all legislation should effect only those areas defined as "critical scenic vistas". There is no reason to apply federal control over a 6 mile by 80 mile corridor.

Having completed the exchanges, and having acquired the ownership interests, NO continuing federal presence other than as a land owner would be necessary.

By following these procedures perhaps the cloud that has been cast over this Gorge by the Friends can be removed, the politicians can leave, and life can return to normal.

Again, thank you for the opportunity to testify.

Robert K Leick

ROBERT K. LEICK

Senator Evans. I must ask that you cease. I can't force you to do it, but it can certainly affect my view of the testimony given. So, I'd suggest it would be best to accept everyone like the host you are. You've been so splendid to us. But, please, a congressional hearing is not the place for a rooting section.

Linda Leathlean, Skamania County assessor.

Ms. Kimmels. I'm Glenda Kimmel.

Senator Evans. Oh, yes, you're speaking for Ms. Lethlean.

Ms. Kimmel. Right, I'm a stand-in.

Senator Evans. Fine.

STATEMENT OF LINDA LETHLEAN, SKAMANIA COUNTY ASSESSOR, AS PRESENTED BY GLENDA KIMMEL

Ms. Kimmel. As the Skamania County assessor, my main concern deriving from the proposed Federal legislation to control the Columbia River Gorge area is the loss of property valuation and revenue source.

The loss of revenue and very possible tax shifts within the affected counties would be a very real problem. There will be a loss of revenue from excise tax if the trees are not allowed to be harvested within any of the gorge viewshed. There will be a loss of revenue from property tax if properties are either purchased by Government agencies and/or if such restrictions as even building homes is forbidden and, thus, lowering property values.

It has been said that any loss of revenue will be made up by PILT payments, that is, paying in lieu of property taxes. Each year county elected officials from all over the United States must testify to the Federal Legislature on the need to retain the PLIT Program. To quote Commissioner Tim Schultz from Rio Blanco County, CO, "counties are suffering real losses." Between 1981 and 1982, counties suffered an actual reduction of 16 percent in their PILT payments due to a 9.1-percent funding cut in the program and a 7-percent inflation rate. In addition to these PILT losses, Schultz pointed out that within the context of the overall budget, counties have sustained a reduction of 15 percent in Federal funding since 1982.

Skamania County cannot and should not count on PILT or any other Federal program to help maintain basic services to its citizens. Every day we hear in the news about the tremendous Federal deficit and the need to reduce programs to correct the situation. Can the citizens of the gorge expect the Federal Government to supply revenue to support services needed if their revenue source is eroded away by Federal legislation?

I sincerely hope that you and your committee will take this issue into serious consideration when deciding what you believe to be in the best interests of the area.

Thank you, Linda Leathlean.

Senator Evans. Thank you, very much.

Harold Vandenberg, commissioner-elect, Skamania County.

Mr. Vandenberg. Good morning. I'm Harold Vandenberg, Skamamnia County commissioner-elect.

Senator Evans. It sounds like you should get congratulations or condolences, I'm not sure which.

Mr. VANDENBERG. It might be a hotter seat than you think, right.

STATEMENT OF HAROLD VANDENBERG, SKAMANIA COUNTY, WA, COMMISSIONER-ELECT

Mr. VANDENBERG. I, on behalf of the citizens of Skamania County, sincerely thank you for coming to our community, and particularly for having extended an open invitation to those of us who are speaking today. During Senator Packwood's hearing in Hood River, many of us were not given a similar opportunity.

I have been elected to serve this county as their commissioner for the next 4 years. I am a supporter of the popular position known as a locally controlled management plan for the Columbia River Gorge. The most important word in that statement is "plan." It also necessitates a clear definition of "locally controlled."

I oppose both the Governors' bill and the Packwood bill for several reasons, mainly the composition of the management teams and the proposed land acquisition methods.

I believe that we, the residents of Skamania County, have done an excellent job of both living here and protecting the majestic beauty of the Columbia River Gorge. While a continuance of our existing managment style can and would prove to be an adequate management plan for our future, the insistence of those who have proposed and support Federal legislation have created for us a need to be more explicit in ourland use policies.

I propose and have stated during my recent campaign that we, residents of Skamania County, draft and approve a plan stating how we will manage land use and protect our portion of the Columbia River Gorge. By taking a positive attitude and approach to the Gorge issue rather than criticizing others and their positions and proposals, we can remove the necessity of enacting a management plan other than that which would be developed locally. I would encourate the citizens of the other five counties to take a similar approach, and collectively we will demonstrate our ability to cooperatively manage the entire Columbia River Gorge within the existing local governmental jurisdictions.

It seems that for the past several years we have been asked to place a great deal of emphasis on protection of the environment. I know politically it's very difficult to take any position opposing an environmental issue. But, the gorge issue is not one solely of the environment. At issue is the lives of 41,000 people who live and work in the Columbia River Gorge. Is it desirable to enact legislation which would cause these people to be unable to live and prosper in this area? I cannot and will not accept the likelihood that those of us who currently live here must be asked to leave our homes and our lands in order for them to become a playground for those living in other areas of the country. That is an inconceivable concept to me.

I believe that we can coexist, the people and the environment, here in the Columbia River Gorge. For those who wish to have the gorge remain as it is today, I suggest photography. Regardless of who manages the gorge, Mother Nature does not stand still. She created it, she's changed it in the past and will do so in the future.

I believe that by working at a grassroots level and openly proposing our concerns, we will find common ground with those who currently believe Federal legislation is necessary. I know that by enacting legislation oppressing a small segment of the local residents would not be supported by a vast majority of the American people. To say this case won't happen, I also suggest investigation of Cuyahoga Valley, OH, a case of appointed persons not following intended legislation and certainly not listening to the concerns of the local residents.

I ask that you not support Federal legislation, but rather assist us in the development of a county management plan for the Columbia River Gorge. I would also ask that you encourage the Oregon Senators to take a similar approach for the Oregon counties.

Thank you, very much.

[Attachment to the prepared statement of Mr. Vandenberg follows:]

Opinion

Calling all candidates

The Enterprise and the Mt. Adams Chamber of Commerce are going to host a candidates' night Oct. 24. In fact, we're inviting every candidate for every high-visibility office we can think of, from the governor's race on down, and we're hoping, with fingers crossed, for two things:

One, that enough candidates will show up to make for a decent night of discussion. One candidate, an incumbent state senator, already has the date on his calendar, and we believe that the issues involved — regional issues such as the question of federal Gorge management, the state sales tax, Oregon's propensity to make midnight raids on any taxable income we leave unguarded, and the generally poor communications which exist between this area and Olympia — will encourage candidates' participation . . . as will the guest commentaries we're sending to the Vancouver Columbian, The Seattle Times, the Daily Olympian and a few other big papers.

Two, that enough residents show up to make the candidates' trip here worthwhile. We've been reminded, and we know through experience, that candidates often end up driving for miles along lonely country roads to attend some debate night, only to discover that more office-seekers have arrived than audience members.

The Park Center in White Salmon has a large capacity, and we expect to see it filled the night of Oct. 24.

We expect that, because we believe people in Klickitat and Skamania counties care about the issues which affect them, and care enough to prove it by taking this opportunity to meet the candidates and discuss those issues.

Many of us grumble a lot about our lack of close ties with state government, located 'way over the mountains. We grumble about the lack of state news we receive, and our role as the quintessential black sheep in the herd of Washington communities. We don't often have the chance to do anything about this, however. In another few weeks we'll have the chance.

See you at the Park Center.

DAS

About time

"Within the county, we should form a grass-roots citizens group that would decide what we want to do with regard to preservation of the Gorge. Then we would propose that to whomever wants to listen as our positive approach."

— Harold Vandenberg, newly-elected Skamania County Commissioner, as quoted in the Vancouver Columbian.

• • •

The idea of taking a "positive approach" instead of a purely reactionary one to counter the idea of federal Gorge legislation is a welcome statement from a Skamania County Commissioner, and we wish Harold Vandenberg well in that effort.

In the same article as quoted above, Vandenberg suggested that other counties in the Gorge need to take the same approach. "If their conclusion is the same as ours, that's all the better.

"Then we would have a Gorge proposal put together by the people who live here. I think we could counter any legislation.

"You fight power with power. Legislative power can only be counteracted by a similar measure."

Unfortunately, many of the very serious arguments over the need for federal Gorge management — and the ability of the feds to adequately manage the Gorge to begin with — have been hindered by those who like to write songs about killing their opponents, and talk of shooting out bus tires. If there's any sure way to convince state and federal authorities that the locals are incapable of handling their own affairs, such threats are definitely the way to do it.

Far better to recognize the realities of this day and age. This is no longer the wild, wild West, and if we are to control our destinies we had best learn to do so according to the rules of the game. The grass-roots citizens' group Vandenberg proposes is a good place to start. Other Gorge counties need to monitor his approach, and emulate whatever success he has.

DAS

"the Colombian"
tues. Sept. 25, 1984

police sergeants, about 45 officers and other staff members in training sessions on interpersonal communications and problem-solving.

"I'm pleased beyond my original expectations with the positive developments" seen since Gerstl began, Grattet said. "This is a critical part of maintaining what I think is an excellent department."

The council endorsed the effort in a 6-0 vote. Mayor Bryce Seidl was absent.

Councilwoman Ethel Lehman said, "This is a mighty small investment for the dividends you get back."

"If ever there was a group that needs this sort of thing, it is a police department," Councilman Dick Pokornowski said.

meant the proposal failed. Mayor Bryce Seidl was absent.

City Manager Paul Grattet proposed the city ask voters to lift the lid that allows property taxes to be increased no more than 6 percent per year. The extra money raised could be earmarked for streets, he suggested.

"It takes three strikes sometimes before you're out," Grattet said, referring to two previous attempts to pass a $4.5 million bond measure for streets. Both attempts failed by a narrow margin. Voters last week gave the bond a 57 percent favorable vote. By state law, bond measures need 60 percent approval to pass.

The new approach would raise an estimated $2.5 million over the next

Vancouver City Council

five years, a city analyst said.

Unlike a bond measure, the levy increase could be approved by a simple majority of voters, Grattet said.

Councilman Dick Pokornowski led an effort to place such an increase on the November ballot.

"We started out with a campaign saying that if we don't do this (raise more money), we're going to lose our streets," he said. "I don't see how we can back away from that."

But Councilman Bruce Hagensen, who led the most recent street bond campaign, said it was too early to another campaign. ... We're limited in how much explaining we can do between now and November," he said. "Besides, 57 percent is nothing to be ashamed about. We just didn't make it. I'm just not comfortable with coming back to the voters this soon after two tries."

Councilman Ron Hart said he would support another vote next year, but not in November. Councilwoman Mary Legry expressed concern that voters might view a lift of the levy lid as "slipping something through."

Voting for the November vote were Pokornowski and councilwomen Ethel Lehman and Rose Besserman.

In other council business Monday:

INVESTORS' GUIDE: A committee heard a staff proposal to proposed operating agreement for Memory Pool on Fort Vancouver Way between Mill Plain and Evergreen boulevards. Under a proposed five-year agreement with the Vancouver School District, the city would operate and maintain the pool. But if the aging pool needs major maintenance or repair, it would be up to the school district and the city to agree to spend the money or void the contract.

CEMETERY FEES: Another public hearing was set for Monday on proposed fee increases for city cemeteries. The city periodically updates such fees in response to fee hikes at private cemeteries. Fees would increase from $5 to $25 for various services. An adult cremation would increase from $90 to $95.

New commissioner seeks local Gorge plan

DAVE OLSON/The Columbian

Harold Vandenberg relaxes in his grocery store office.

By JOHN HARRISON
The Columbian

STEVENSON — He was a computer research director who left high-technology work to buy a grocery store in the Columbia River Gorge.

Six years ago, Harold Vandenberg left Escondido, Calif., and a computer job with National Cash Register to come to Stevenson, a city he had never seen.

Today, Vandenberg spends most of his time helping customers find what they need in his grocery store. But that will change in January when Vandenberg steps across the street to the Skamania County Courthouse and a seat on the county's Board of Commissioners.

A week ago today, Vandenberg, 44, ousted incumbent commissioner and fellow Democrat Eric Wedin from the $24,000-a-year job. Vandenberg plans to keep his business and hire a manager.

Because there were no Republicans in the primary race, Vandenberg's name will appear alone on the Nov. 6 general election ballot. He is assured the job unless he is defeated by a write-in candidate. That is unlikely, given the size of Vandenberg's victory — 428 votes to Wedin's 190. That, county auditor Gary Olson said, is one of the larger margins of victory any candidate has had in Skamania County.

Skamania County has some problems. State figures show that at least 16 percent of its workers are unemployed. The county has about 7,900 residents.

The county also is at the center of a battle that pits an unusual alliance of environmentalists and the federal government against local property owners in the Gorge. Federal legislation introduced in the House and Senate in 1984 would establish Gorge land management rules. Many in Skamania County oppose the legislation, saying it is an attempted federal takeover.

In 1986, county commissioners likely will be at the forefront of what promises to be a fight on the legislation.

Vandenberg proved more than a year ago that he is willing to fight for causes. School was out and the 1983 summer was beginning, but Stevenson's only public swimming pool was about to close. The commissioners had refused to continue financing operation of the pool, which is owned by the Stevenson-Carson school district.

"I said, 'Wait a minute. You can't turn away all those kids,'" Vandenberg recalled during a recent interview in his basement office at the grocery store. "I told the commissioners either they would reconsider that decision or we would get together a citizens group that would convince them they should. And that's what it took."

Vandenberg helped organize the group, which gathered 950 signatures in a single weekend.

"The commissioners realized they had a cat by the tail," Vandenberg recalled with a laugh. "They immediately appropriated some money to continue the summer program."

After that, people began asking him to consider running for election.

As a commissioner, Vandenberg will face weightier issues than swimming pool finances. He's given a lot of thought to the county's problems, including:

THE ECONOMY: "My background is in business. I can draw on that experience. In the past year, a group of us got together and looked into the possibility of forming an economic development council.

"It would identify what you want in a community — do you want to attract business or do you want to maintain the status quo? Do you want an industrial complex or a commercial complex? Then it (the council) gathers resource data and statistics so that a potential entrepreneur can have that information.

"Our thrust is going to be for the small business with maybe 50, 60 or 70 people. We want to keep it small. I think people who live here like the smallness (of Skamania County), the uniqueness, the quaintness. We would like to keep those characteristics here."

IMAGE: "The image of the county is coming out wrong, I think. I'd like to see it improved. I found out about this by accident. I went to other areas, and I was very proud to tell people I was from Skamania County. But a couple of times I got raised eyebrows.

"People in Skamania County are hard working and honest to a fault.

"In business you have to create an image of what it is you are doing. I don't think that's any different with county government. You have to create an image of what the county is."

[redacted]: "Within the county, we should form a grass-roots citizens group that would decide what we want to do with regard to preservation of the Gorge. Then we would propose that to whomever wants to listen as our positive approach.

"I'd like to have the other five counties in the Gorge do the same thing. If their conclusion is the same as ours, that's all the better.

"Then we would have a Gorge proposal put together by the people who live here. I think we could counter any legislation.

"You fight power with power. Legislative power can only be counteracted by a similar measure."

Supplemental testimony submitted at the Senator Evans hearing November 8, 1984

Planning is a must for all governmental agencies. Skamania County has for many years been able, albeit rather laboriously, to have managed the county without very much short or long range planning. This technique has been possible due to the small number of people living in the county. Currently 6500 people live in Skamania County, of these between 25 and 30 percent live in the two incorporated cities. "Small" has allowed small businesses to survive in our fast paced american business community. They continue to thrive very nicely without a sophfisticated planning procedure. Family planning of ones personal affairs also receives only minimal planning for the vast majority of the American people. This sort of rational is justification to describe our continued existence in Skamania County. Modern methods have been a long time coming to our area. Transportation and an increase in the amount of leisure time for many Americans has finally caught up and moved in on us. We must realise this and begin to accomodate the requests for our resources and at the same time protect the rights of those who live and work in the Gorge.

The risk we face is that "big" usually takes presidence in our society. Big companies absorb and purchase small ones. Conglomerates mask the true ownership and management of most of the business community. Government expands at all levels, creating agencies and commissions for which accountability is often obscured.

We the small enity are very concerned that we will not become absorbed due to the lack of money, prestige, voting power or any other condition which can be used to divert the oppressive potential of those who are big, have the dollars, votes, etc.

It would be easy sell Skamania County as all of the residents "down the river" as it were by a powerful group. Many of the proponets for the environment and preservation causes use words and cliches which do not always represent a true picture of their promoted position. The english language allows us to use words to describe a thing or situation which fits a biased or singular purpose, i.e. a "Gorge" is thought to be a very steep inhospitable in accessible canyon by most people. When someone in another part of the country , never having seen the Columbia River Gorge, is told of a plan to preserve the "Gorge", He or she immediately translates to the traditional definition and concludes,"Why not? It's worthless anyway.". They are never told that the Columbia River Gorge is several miles in length and width and includes several cities and over 40,000 residents. The term "Urban Sprawl" is used frequently. A private land owner desiring to short plat a piece of his land into 2½ acre parcels is called "Urban Sprawl". To urban residents "Urban Sprawl" is something they are familiar with...a city block filled with highrise condo's or a residential neighborhood with single family dwellings on 5000square foot lots. Two very different views.

It is this sort of psychological pressure tactics which can rally support for idiological positions by a relatively small group of individuAls or organizations.

I can not visualize the need to encourage the federalization of the Columbia River Gorge. Look at the track record.

Major Dams. The flood plain covered by these dams hae contributed to an irreversible amount of damage to the floral and fauna of thousands of acres of river shorline. Electrical generators and the turbines have destroyed the Columbia for commercial salmon fishing. Long ago the fish would have been extinct had not the local governments and local citizens supported a conservation program for the remaining fish. I today cannot fish in the waters of the Columbia only 250 feet from my own property. The hatchery program alone costs Americans millions of dollars to mask us from the real problem, that being the dams and generator turbines. The power transmission lines that traverse the Columbia River Gorge are an unsightly mess. The federal government is also responsible for the major terrain changes necessitated by the building of the Interstate 84 Highway.

The Pacific Northwest is a major producer of wood products for our nation. This activity, although managed by the U. S. Forest Service, is actually don by private business. The harvesting of a renewable resource, the act of cutting and replanting trees, is dynamic. Time enhances this activity, The aforementioned permanent construction projects are not improved with time.

The harvesting of wood product occurs as naturally here as wheat ranching in Montana, corn cultivation in Iowa, automobile manufacturing in Detroit, steel production in Pittsburgh, cotton production in the south and many other traditional businesses and private enterprises throughout the nation. To selectively object to the continued harvesting of wood products in our area is an unduly restrictive hardship on a few Americans.

We know that todays public agencies are supported by a tax base. Skamania County has less than 10% of its land privately held. Acquisition of any of this land by the federal government by, purchase, fee acquistion, condemnation or trade errodes the very basis of our ability to survive. The loss of privately held land and mandated cutbacks in timber harvests would strangle the life line of our ability to support ourselves. This errosion would accomplish only one purpose, that of a ghost town, Skamania County. We need an expansion of our tax base to expect a reasonable growth rate which is only healthy for any community.

Our econimical base can be developed by diversification. Two things are required for economical growth and opportunity. A natural resource and a desire to live in the area. Our natural resources are trees, water and the beautiful landscape. The desire to live and visit the area is self-evident. We need to capitalize on both a wood product related and a recreation/tourism based economy. We are actively progressing toward a plan to accomodate and manage these industries in our county. A committee has recently been funded to plan and provide the data necessary to encourage business opportunity and yet protect the rights of our citizens. We need time to develop the necessary strategies and to demonstrate our abilities.

We are on the road to getting the job done. We will need the assistance and cooperation of everyone involved. I would like to make myself available to your office and would accept your support in defusing a situation which need not exist at all. By signing on with our position a locally controlled Columbia Gorge Management plan, the few who would like to assign responsibility to the Federal Government will reconsider and cooperate with a locally controlled position.

Senator EVANS. Thank you, very much, Mr. Vandenberg.

Next, Jack Mills, commissioner-elect, Hood River County.

Mr. MILLS. Thank you, Senator.

Senator EVANS. The same goes to you: congratulations or condolences.

STATEMENT OF JACK MILLS, COMMISSIONER-ELECT, HOOD RIVER COUNTY, OR

Mr. MILLS. I'd like to point out first that when Commissioner Palmer was purportedly speaking for all the commissioners, he was not speaking for this commissioner.

As we all know, a substantial piece of the proposed scenic area of the Columbia River Gorge falls within Hood River County.

I'm pleased to say Hood River County has done a good job of its land use planning. But, the pressures are on in the gorge and I don't believe our county government has the time, the resources, the expertise, or the authority to properly handle these pressures.

I believe we must have help and a single authority with national clout to protect the phenomenon which we respect so much.

I would like to quickly mention just three of these pressure points which are right now festering within the gorge and our Hood River County borders. Near Wyeth, a well-meaning individual is attempting to develop a substantial, private, hydroelectric powerplant on public, U.S. Forest Service property, adjacent to a Forest Service campground and proposed interpretive center. Many people feel this private power project will jeopardize the waterfall involved, the public campground and, of course, the scenic values of the gorge. So, who's to sift out the facts and make the proper decisions in the public interest?

A second dilemma and serious pressure is now being brought upon the forestlands within Hood River County's portion of the gorge. This timberland is owned by private individuals and companies, Hood River County, Oregon State Parks, Oregon State Department of Transportation, the Bureau of Indian Affairs, Bonneville Power Administration and the U.S. Forest Service. There are at least seven different types of timber ownerships along this stretch of the gorge. In complying with Oregon State land use laws, Hood River County developed a forest protection and practices plan within these boundaries which satisfied virtually all involved. It speaks to such practices as clearcutting within the gorge. Now, when our county's comprehensive plan is all but done and approved, some private timber interests are claiming our county does not have the right to impose its own forest practices on anybody, especially within the gorge. The Attorney General's office has been pulled into the fray and Hood River County has been told to stand aside while two different Oregon State agencies squabble over how the forestlands in Hood River County are to be logged. Again, who is in charge? Who should make these decisions in the public interest?

The final problem I'll mention today is called Wells Island. It's a small island within the county of Hood River, within the city of Hood River and owned by the Port of Hood River. It's also within the Columbia River Gorge and happens to contain a rare heron rookery and nesting habitat for migrating Canada geese. The eastern third of the island has been within the city limits of Hood River for almost 100 years. The owner of the island, the Port of Hood River, has a plan for the island which was devised by a diverse citizens committee. This plan would presumably protect the fish and wildlife and, at the same time, allow minimal development of an interpretive center and botanical garden for use of the public. The months of committee hearings were attended by numerous invited environmental agencies and groups, and the plan is now being contested by several of these groups. Once more, who is in charge? Who should be in charge? City? County? Port Commission? State? Gorge Commission? Environmentalist? Who?

So, these are just three of the pressure points in Hood River County's portion of the Columbia Gorge. We think we're doing a good job, but we need help. We think the Senator's bill is properly designed to provide that help.

Thank you.

Senator EVANS. Thank you.

Steven Anderson, Klickitat County Planning Department.

Mr. PRIEBE. My name is Andy Priebe and I'll be presenting the testimony of Mr. Andersen.

Senator EVANS. Fine.

STATEMENT OF STEVEN B. ANDERSEN, PLANNING DIRECTOR, KLICKITAT COUNTY PLANNING DEPARTMENT, AS PRESENTED BY ANDY PRIEBE, PLANNING TECHNICIAN

Mr. PRIEBE. The Klickitat County Planning Department is very happy to report to you, Senator Evans, that we have an answer for Gorge management. It is called control by local zoning and it is being practiced very effectively in our county and has been for nearly 3 years.

Contrary to charges by the Columbia Gorge Coalition that we are making a sham of Gorge protection by granting variances and subdivisions, we are in truth actively enforcing Gorge protection via the Klickitat County Gorge protection district. This is an overlay zone, so-called because its provisions are enforced in addition to the provisions of the regular zoning districts in the area. Uses and development densities are permitted in accordance with regular zoning, but development must adhere to the extra requirements of the overlay zone.

In its zeal to accomplish its purpose of complete Federal acquisition of all lands in Klickitat County from Bingen to Lyle, one particular group has resorted to false accusations and exaggerations of the truth. No subdivision applications have been submitted within the Columbia Gorge overlay zone since it was adopted on November 16, 1981, and no variances to the overlay zone provisions have ever been granted. It seems with some group the end justifies the means. We hope, Senator, that you will recognize these charges for what they are.

After you have finished your deliberations on this issue, and if you conclude that a higher level of control is necessary, we would recommend to you that a regional commission made up only of residents of the Gorge counties be formed to oversee that local zoning is consistent with the overall objectives of protecting the scenic qualities of the Gorge while providing for economic opportunities. Toward this end we feel strongly that both the incorporated and unincorporated communities and their associated commercial and industrial areas be excluded from any Gorge management provisions.

Thank you, very much, for giving us this opportunity to be heard. Respectfully submitted, Steven B. Andersen, Klickitat County planning director.

Senator EVANS. Thank you, very much. That was very helpful. You even stayed within the 3 minutes, you get a bonus for that.

I wanted to make sure we had especially the full statements from those representing the county and local governments, since this is where we are having the hearing. We're going to have to get closer and closer to that 3-minute time limit unless somebody wants to testify at 2 a.m. tomorrow morning. That's about as long as we're going to have to stay.

How would a county management plan, in your view, be operated, Mr. Vandenberg? What would be the nature of that plan as compared with what exists now in Skamania County and what is contemplated? Would this go beyond that into a comprehensive zoning ordinance? Could you describe to me what sort of level and intensity of plan you're talking about?

Mr. VANDENBERG. Yes. First of all, I think all the counties within their own jurisdictions need to look at their land use zoning plans and get those into compliance. The joint venture part of that would be a cooperative agreement between the county commissioners in the six counties that do service the Columbia Gorge area. They would form a group that would monitor each other and keep that plan consistent, one with the other.

Senator EVANS. Do you feel that that could be done practically, just through the cooperation of the various groups? Is any kind of commission or separate group desirable to help carry that out?

Mr. VANDENBERG. No, I don't believe it is. I think within the jurisdictions, cooperatively working one with the other, I see no difference with those working on a Gorge issue cooperatively, as we within the counties in Washington would work cooperatively toward any other situation that's of equal interest to all of us.

Senator EVANS. OK. Do I understand from your testimony, Mr. Mills, that one of the three problems you brought up represented an effort of the county to implement what I presume was a comprehensive forest management proposition, and that private timber interests are now attempting to assert that the county has no right to do that? Or could you explain a little more what's at stake there?

Mr. MILLS. Yes; what's happened was in trying to put together the comprehensive plan, which was done a number of years ago, an overlay, as you would call it, was put on the forestland. Recently Oregon's LCDC, or Land Conservation and Development Commission, had approved almost everything that Hood River County put together except this overlay, and the reason they were questioning that is they had tremendous pressure from Oregon Associated Industries, the State forester, and the private timber interests who say that the county's overlay plan was too restrictive. Well, the county's plan was set up to comply with the laws of the Land Conservation and Development Commission, and now the state forester and the attorney general's office is doing battle with LCDC over the forestlands in our plan. So, as I said, we have two Oregon State agencies at odds with each other as to how we ought to handle the timber in our county. That's going on right now, it hasn't been resolved.

Senator EVANS. Would you suggest resolving that by transferring it so that it would be handled at the Federal level?

Mr. MILLS. Yes, definitely.

Senator EVANS. So they would make that choice, then, as to how the forestlands ought to be managed?

Mr. MILLS. Yes, of course with input from the county, the State, and private timber interests, everybody having input. But, I think it should be resolved at the Federal level, yes.

Senator EVANS. Mr. Leick, do you ever visit the Oregon or Washington beaches?

Mr. LEICK. Frequently.

Senator EVANS. I was a little distressed by the last part of your testimony where you suggest if everybody just packs up and leaves, then we can go back to enjoying our life here. What if the landowners near the Oregon and Washington beaches said the same thing to you as you came out to use the beaches?

Mr. LEICK. I wasn't aware that the beaches that I used are under Federal control, Senator.

Senator EVANS. It's not a question of whether they're under Federal control, it's whether they want any neighbors, or any visitors, or anyone else coming in. You weren't talking about Federal control, you were talking about people just leaving.

Mr. LEICK. No; I'm talking about those people that come to this county to decide that the people of this county can't govern themselves. When I go to Oregon, I have never suggested that Seaside be preserved from the local people of Seaside.

Senator EVANS. If some suggestions were made that that happen, you'd probably be among the marchers who suggest that it shouldn't?

Mr. LEICK. Yes, sir.

Senator EVANS. OK. In other words, I think the point is that we can't, any of us, just totally withdraw. Some are blessed in living in places that have unusual natural resources that are of interest to people from outside. That's how the commercial and business establishments of any area survive, not just from selling within their own boundaries. That's true whether it's the ocean beaches, the forestlands, or whatever. I think we all want to try to reach some kind of balance, and that's what we're seeking. I just hope we can do it without raising temperatures too high.

Mr. LEICK. Senator, my only comment—my comment was designed to draw a parallel between people that would come into a county to take over their government and abolish traditional forms of government. That's what happened in Wasco County with some people, and they were helped out of the area when they left by the welfare agency or the Salvation Army. That was the purpose of my comment, that if we would get this done, then maybe these people would go home and let us continue to live our lives.

We've been living under a cloud for 5 years. While everybody else has had bad economics, we've had bad economics and, in addition, we've had land that's sterile. It won't move. There isn't any market for anything out there because no one knows what's going to happen to it tomorrow.

Senator EVANS. I'm sure that's a good point. The length of time we've been going through this series of proposals really does affect, inadvertently I think, the salability or usability of land, and that's something which I think we'd all like to end, hopefully by reaching some conclusions that will do the job of protection where protection is really desirable, to protect what makes people want to come here, and trade, and visit. We're staying at a lovely inn up at White Salmon, and I suspect if nobody came the inn wouldn't be there. We've got to do it with some sensitivity and certainly with a recognition of local needs.

I didn't intend to and I shouldn't be giving sermons. I should be listening. I'll try to refrain from that in the future.

We thank all of you very much for your testimony. Now we'll turn to local government. We have some tribal representatives and, as I understand it, those tribal representatives can come forward to the front row. Nathan Jim, representing Levi George from the Yakima Indian Nation; Claude Smith, Sr., from the Warm Springs Confederated Tribes; Rod Cowapoo from the Umatilla Confederated Tribes; Floyd Billy Harrison, Lucille Aalvik, and Chief Freddie Ike.

Let's turn now to local government representatives. I'd first like to call on Walline Fuller, mayor of Stevenson, WA. It's a delight to be in your community.

STATEMENT OF WALLINE FULLER, MAYOR, STEVENSON, WA

Ms. FULLER. Senator Evans, ladies, and gentlemen, as the mayor of the city of Stevenson, the county seat of Skamania County, I am here to express our concerns over Federal control of the Columbia Gorge. We feel that such control would stifle growth within our city and freeze our borders. If this control becomes a reality, what happens to our jobs? How do we eat?

Thank you for coming today, Senator Evans. We need your help.

Senator EVANS. Thank you, very much. It's nice to be in the community that has such brief and to the point testimony.

Mike Johnson, mayor of Washougal, WA.

STATEMENT OF MICHAEL G. JOHNSON, MAYOR, WASHOUGAL, WA

Mr. JOHNSON. Thank you, Senator.

I, too, would like to thank you for holding this public hearing on a very important and very delicate issue. I appreciate this opportunity to advise you of your position regarding management of the Columbia River Gorge. We do consider ourselves the gateway to the gorge, and we think that what happens here will definitely affect us and our economy.

The Washougal City Council unanimously passed a resolution opposing any Federal control of the gorge. That resolution is attached for your consideration.

A powerful and influential man once said government should only do that which people cannot do best for themselves. Simply stated, that is our position. We believe that local control of the gorge will result in the best management of the area. We further believe that State and Federal Governments should offer their assistance and welcome expertise without taking complete control.

I'd like to share an experience that I think sums up our position. At least it brings it home to me. Maybe it's a little simplistic. But, I had two older brothers when I grew up, one 5 years older and one 10 years older. The one that was 5 years older than I, whenever he wanted to teach me something, he believed in doing it the hard way and jamming it down my throat. The older brother encouraged me to be able to tackle my goals and objectives by helping me, assisting me, and counseling me. I think that's really the role I would see for the State and Federal governments in this particular issue, to join with us and help us make the right decisions in planning our own destiny.

Local government has one great opportunity that I think the Federal Government doesn't, and that is when we act we see the results almost immediately of our actions. When things have to go to Washington and then come back to here, the bureaucracy and the layers it goes through seems to bog it down and make it very unresponsive to the citizens.

Thank you, very much, for coming here today and listening to our testimony.

[The resolution follows:]

RESOLUTION NO. 323

A Resolution authorizing support for the Mayor of the City of Washougal to issue a proclamation opposing federal control of the Columbia River Gorge.

WHEREAS, the City Council of the City of Washougal is opposed to any federal regulatory control over the Columbia River Gorge; and

WHEREAS, there are several reasons for this position; and

WHEREAS, it would be appropriate to state those reasons in a proclamation made by the Mayor of the City of Washougal; and

WHEREAS, support is given for the development and issuance of a proclamation setting forth the position of the City of Washougal in opposing federal control;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Washougal, Washington, as follows:

I

Michael G. Johnson, Mayor of the City of Washougal, is hereby supported and requested to make a proclamation setting forth the exact positions of the City of Washougal in opposition to federal control of the Columbia River Gorge.

Adopted by the Council of the City of Washougal, Washington, at a regular meeting this 5th day of November, 1984.

CITY OF WASHOUGAL, WASHINGTON

By: M. G. Johnson
MAYOR

ATTESTED TO:

R. J. Rust
City Clerk

APPROVED BY:

City Attorney

Senator EVANS. Thank you, very much, Mayor Johnson.

Next is Ethel Lehman, city councilmember from Vancouver, WA.

STATEMENT OF ETHEL LEHMAN, COUNCILWOMAN, CITY COUNCIL, VANCOUVER, WA

Ms. LEHMAN. Thank you, very much, Senator Evans, for having the hearing up here. The drive up was absolutely magnificant.

I am Ethel Lehman, Vancouver City Councilwoman. Mayor Bryce Seidl was unable to be in attendance today and asked and I represent him and the city council.

Vancouver, as the largest Washington city on the Columbia River and at the gateway of the gorge, has a very large stake in future gorge management. Few communities have such a priceless heritage adjacent to them. The Vancouver City Council could not remain silent in light of the National Park Service 1980 study on management alternatives. The status quo management of the gorge was simply unacceptable.

Following the Park Service study was a study prepared by the National Parks and Conservation Association for the Council on Environmental Quality at the request of the Reagan administration. The Columbia Gorge was chosen as one of six prime areas for what was termed as "Greenline parks" out of 150 candidates studied throughout the country, a further indication of national interest and the need for legislation.

In October 1982, the city council held on the gorge the largest hearing we have ever held on any subject. I served on the subcommittee which interviewed the various interests. The issue was studied for 2 months before we settled on the 13th draft of a resolution included in favor of strong protective measurements within the gorge by a 5-to-1 vote.

We are convinced that our heritage, the Columbia River Gorge, needs legislation that has four elements: a comprehensive plan which spans the gorge; a master planner with experience in resource management, the U.S. Forest Service represents such management; an impartial arbiter who will look at the tough issues with equality for all participants, again the U.S. Forest Service represents such a choice; requires a banker who is able to utilize the trading power of the largest land bank and treasury available, and we are referring to the Forest Service, which is the largest landholder in the gorge and in the Northwest.

Although at the time, December 1982, we did not take a position on any particular bill, the events that have followed have convinced the council that the provisions of S. 627, the Packwood-Hatfield bill, are at this time the barest minimum acceptable. Additionally, Ron Hart, who initially voted against our strong resolution and who is in India today and unable to be here, would want you to know that he strongly urges passage of S. 627. We are also more convinced than ever from contact with our constituents and the results of an intervening election that we made a decision that was in tune with their feelings.

As a local elected official, I say with certainty it is beyond the ability of local, county, or even State government to govern the entire gorge. Additionally, the commission approach is an illusion as far as governing is concerned. Any commission will ultimately become politicized, particularly one with land-use responsibilities. City and county constituents will not allow the tough decisions to be made.

I have here a copy of the organized testimony that was presented to the city council that influenced our thinking. If you would like additional copies, please advise me and I will see that they are available.

Please join Senators Packwood and Hatfield in passing strong protection for the Columbia River Gorge. Thank you, very much.

Senator EVANS. Thank you, very much, Ms. Lehman.

Ken Hobson, city administrator, Cascade Locks.

STATEMENT OF KENNETH D. HOBSON, CITY ADMINISTRATOR, CASCADE LOCKS, OR

Mr. HOBSON. Representing both the city and the Port of Cascade Locks this morning, I do appreciate the opportunity to again testify regarding our thoughts on future management of the gorge. As Bowen Blair, executive director of the Friends, recently wrote: "The gorge is under siege." We'll defend our homes the best we can, given the limit of a 3-minute volley.

Recent proposed management plans are euphemistically labeled "planning partnerships." You know there's no partnership contemplated when the sponsors and senior partners never ask for our views over a period of years of strategizing, drafting, and lobbying for their plan.

The principal issue as regards the gorge is not scenic protection or tourism promotion, the issue is who makes the decisions regarding scenic protection or tourism promotion. The issue is control, the issue is power. The issue is whose vision of the gorge will control the future of the gorge. This legislation that's been contemplated is first and foremost for the environmentalists, not for the environment, because the environment of the gorge is more than trees, historic sites, and waterfalls. The environment of the gorge more importantly includes the 41,000 people who live here. There exist communities and economies here in the gorge now. A few of us showed up today to try to make that point.

Senator Paul Tsongas wrote me a letter in reference to the gorge. He said: "It's possible to achieve a workable balance between conservation and development in our Nation's wilderness areas." The proponents of Federal legislation are doing a good job. They have U.S. Senators believing that we're meeting today in the middle of a wilderness area. The vision of the proponents may be such. We're a little mad, we're a little frightened, we're a lot offended that a special interest group is trying very hard to change our environment, our economy, our lives. Truly we are intruders in their vision of the gorge. The city and Port of Cascade Locks are desirous of balance, which means of necessity local residents exercising their rights to make those decisions which most directly affect them.

In the written testimony we've submitted is a copy of the Friends letterhead. It's of note because I think it makes a visual statement comparable to the words and aims of recent legislation that's been proposed. Look carefully for any sign of our presence in the gorge. No freeway, no power lines, no barge traffic; only the ridgetop sentinel of Vista House. Artistic license, they might reply. Granted, but the license granted by Federal legislation to persons with a very narrow interest in the gorge would in fact transform our communities and our lives. We are confronted with property confiscation without representation, community determination without representation, a future vision no longer ours to dream or to realize. It is true if Federal legislation passes the gorge will never be the same again.

Thank you.

[The prepared statement of Mr. Hobson follows:]

TESTIMONY OF CITY OF CASCADE LOCKS
AND PORT OF CASCADE LOCKS

Energy & Natural Resources Committee-Subcommittee on
Public Lands & Reserved Waters
Hearing, Stevenson, Washington
November 8, 1984
Submitted by, Kenneth D. Hobson, C. A.

We appreciate the opportunity to again testify regarding our thoughts on future management of the Gorge. As Bowen Blair, Executive Director of the Friends, recently wrote in a fund raising letter, "The Gorge is under siege." We'll defend our homes the best we can given the limit of a three minute volley.

The city has submitted testimony at all previous hearings, passed resolutions and written numerous letters opposing these proposed management plans that are euphemistically labeled "planning partnerships." You know there's no partnership contemplated, when the sponsors and senior partners never asked for our views over a period of years of strategizing, drafting and lobbying for their plan. We're given only a brief opportunity to comment.

The principal issue as regards the Gorge is not scenic protection or tourism promotion; the issue is who makes the decisions regarding scenic protection or tourism promotion. The issue is control; the issue is power. The issue is whose vision of the Gorge will control the future of the Gorge. The proponents of this legislation are trying very hard to convince you and other members of Congress that their way is the best way. Why, is it the best way? Not surprisingly, the real answer is because it's their way. And all opposition, all other ways of accomplishing similar objectives, all other governmental entities whose normal roles would be to mediate and balance competing and conflicting interests or analyze and choose between different approaches are neutralized by this legislation. This legislation is first and foremost for the environmentalists--not for the environment.

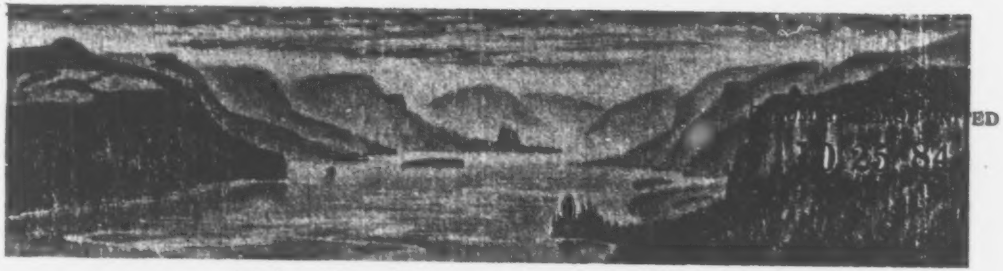
Because the environment of the Gorge is more than trees, historic sites and waterfalls. The environment of the Gorge more importantly includes the 40,000 people who live here. There exists communities and economies here in the Gorge now. A few of us showed up here today to try and make that point. Senator Paul Tsongas wrote me a letter in reference to the Gorge; he said "it's possible to achieve a workable balance between conservation and development in our nations's wilderness areas." The proponents of this bill are doing a good job; they have United States Senators believing that we're meeting today in the middle of a wilderness area. The vision of the proponents may be such. We are a little mad. We are a little frightened. We are a lot offended that a special interest group is trying very hard to change our environment, our economy, our lives. Truly we are intruders in their vision of the Gorge. Strange how defenders of life in the Gorge as it has been and is are made to seem the radical element.

The city and port of Cascade Locks are desirous of balance which means, of necessity, local residents exercising their rights to make those decisions which most directly affect them. We know there is more than one way to achieve an objective. Very simply we want to choose for ourselves through our locally elected representatives between those alternatives.

Cascade Locks, for example, has chosen to own its cable TV and electrical systems; the Port has launced a sternwheeler on the river. The city enforces mandatory garbage collection; the council believes it makes for a cleaner community. Some people complain it's unfair; but they accept it, primarily, I think, because it's their community's choice. My guess is the U.S. Forest Service would find such a law more difficult to impose and nearly impossible to enforce. We learn to live with the choices we make; we often try to find a way around those that others make for us.

I mentioned earlier a vision for the Gorge. In the written testimony we've submitted is a copy of the Friends' letterhead. It's of note because I think it makes a visual statement comparable to the words and aims of the legislation proposed. Look carefully for any sign of our presence in the Gorge. No freeway, no power lines, no barge traffic--only the ridge-top sentinel of Vista House. Artistic license, they might reply. Granted. But the license granted this legislation to persons with a very narrow interest in the Gorge would in fact transform our communities and our lives.

We are confronted with property confiscation without representation, community determination without representation, a future vision, no longer ours to dream or to realize. It is true; if this legislation passes, the Gorge will never be the same again.



Friends of the Columbia Gorge

October 4, 1984

"Americans cannot afford to sit by and watch the Gorge be destroyed."
The Oregonian, editorial, Aug. 20, 1983

"God made that property to use, not to worship."
Developer George Rizor, June 20, 1983

Dear Friend,

Do you care if the Columbia River Gorge goes the way of Lake Tahoe? On October 28, 1983, The Oregonian accurately editorialized:

> The Columbia River Gorge, with its geographic, historic, scenic, recreational, botanical and other natural values, is where Lake Tahoe was 40 years ago. The costly mistake of Nevadans and Californians there--failure to plan so growth meshes with, rather than tramples upon, the environmental values--should not be repeated by Oregonians and Washingtonians.

Will it make a difference to you if in ten years the vistas you take for granted are cluttered with subdivisions and strip development?

Last week, the Skamania County, Washington, Commissioners approved yet another massive subdivision. This subdivision, Hidden Harbor, will be developed across

TESTIMONY OF

Kenneth D. Hobson
City Administrator
City of Cascade Locks

Eugene Miller, Mayor

Councilpersons:

Marjorie Jackson
T. Dwarf
Fay Randolph
Sam Muncie
Joe Wrabek
Rogers Wheatley

PROPOSED LEGISLATION:

"Columbia River Gorge Act of 1983"

SUBCOMMITTEE ON PUBLIC LANDS
AND RESERVED WATER OF THE
SENATE ENERGY AND NATURAL
RESOURCES COMMITTEE

The Proponents that have initiated and supported this bill would have us believe that they are the knights in shining armor on swift white horses come to save us from ourselves and maybe a black knight subdivider that makes it across the 205 drawbridge. The City of Cascade Locks will go on record today as being adamantly opposed to any re-birth of feudalism in the Columbia River Gorge. Eleventh century feudalism was based on a system of patronage where the weak and poor in search of security gave up certain rights and vowed to serve faithfully the greater and wealthier power, the seigneur. This relationship between vassal and seigneur, significantly, was initiated by the vassal who sought the needed protection; the vassal in turn provided financial aid and entertainment to the lords.

A thousand years later it has a familiar ring to it. But we affirm we are not the weak and the poor, the vassal in need of protection. We are the residents, the citizens and in some part at least, owners of the Gorge--the ones who have preserved and protected the diverse scenic quality that we know so well. And we've been productive citizens at the same time. We are not the weak and the poor who have been trampled over by zealous builders. We are the pople who in Oregon have implemented one of the most far-reaching and progressive systems of land use controls in the country.

Thus, having done a very credible job of managing the lands in the gorge for many years, we are asked to relinquish that role. And the justification? First the "three threats" of "rapid population growth, uncontrolled development and more than 50 jurisidictions." Our responses are simple and straightforward, "actual population decrease, the most far-reaching and progressive system of land use controls in the country and add 1 more jursidiction."

The next justification is there's not enough local, state or federal money available to accomplish the goals of the bill. We're in agreement with that. Lastly, and this is really what has moved so many to respond so strenuously, the bill says to settle all land-use issues within the Gorge we should look to a single arbiter, the U.S. Secretary of Agriculture, who will apply the mandates of this bill. The response to that proposition will fill volumes.

A few questions come to our minds. Isn't it local residents who have preserved and protected the diverse scenic quality we know so well while the federal government has made what changes it felt best? Isn't it the federal government that doesn't have enough money to maintain and manage properly the holdings it's now responsible for? Isn't it the federal government that has been talking about returning more decision making to local government? Doesn't the federal government own most of the Oregon land proposed for this area already and shouldn't the goals of this bill have already been substantially achieved?

Objectives in the proposed bill and "principles for legislation" as presented in the governors' proposal are in many ways basically in opposition to one another. They are stated in terms of being compatible, but in reality are not. Each and every principle standing by itself is meritorious and nearly everyone can embrace them with enthusiasm. Add to these other equally laudable principles which local governments adhere to and we soon find there exists many competing objectives. The role, then, of local government is one of balancing these objectives and giving community direction.

There is little doubt then, that local control is an issue here; but just as importantly, it must be observed that this bill envisions a different gorge environment than exists today. We would suggest that proponents of this legislation would not be satisfied with "a freeze of the status quo." Residents, for the most part, believe that a good job has been done in balancing competing demands and envision that care for the scenic beauty of the gorge would continue. Proponents of this bill, we believe, are not particularly interested in a balance. The language in the bill talks about the continued vitality of gorge communities, but an honest assessment reads a very clear bias for a tourist, recreation environment.

What we, and other residents of the Gorge, are tying very hard to do, is have you understand that there exists an economy in the Gorge now, that we are the major part of that economy and that if you propose to alter forever the Gorge economy--and our lives--then it should be very thoroughly studied and fairly evaluated before any irreversible actions are taken and that we, as residents, of the Gorge, should have the primary role in that determination. Frankly, many persons in the Gorge are mad, and perhaps a little frightened that the vise of losing traditonal jobs and confiscation of private property may squeeze the life, as we know it, out of the Columbia River Gorge. Then proponents would offer us some park space that we might come and visit, in order that we could say, this used to be home.

The bill says lines will be drawn around existing cities and their urban growth boundaries. Unfortunately, our so-called immunity as a free city doesn't hold up very well under thoughtful examination. The city owns and operates an electrical utility extending approximately 20 miles outside the city. We have already lost many numbers of customers due to federally financed "improvements" and increasing landholdings in the Gorge; already 90% of Hood River County is federally owned, but this act would go further still. To the extent that we lose existing power customers or potential new customers, those remaining on the system pay higher rates. We are affected.

The tax burden on our city residents would increase as county lands were purchased by the government. As our tax rate increases, our citizens find it more difficult to finance needed city services. We are affected. Under this legislation we would expect the resident population of the gorge to decrease. To the extent this makes it impossible for businesses to survive simply due to number of customers, we would be affected. One cannot successfully make the argument that the potential of increased tourism will make up the difference. Tourists don't often go to the dentist or buy a home. And for the tourists who drive our streets, use our parks and require our ambulance or police, who will pay for those services?

Our concern should be your concern. What really would be the human and financial costs of such a change? If more timberland is reserved for scenic uses, what of our mill workers? If less land is taxable, who will pay more? If we changed your home against your will, wouldn't our concern be your concern?

Our record is not one of insensitivity; it is one of concern and care, no small part of which comes in knowing that it is our responsibility. But this legislation would change that relationship.

We wrote to Governor Atiyeh a year and a half ago that the basic premise of the legislation then was that we live in a beautiful place, but we're not capable of keeping it that way. We thought it said let's give the residents tenant rights and have a federal landlord keep our house in order for us. But it may be more sweeping than that--perhaps more akin to a federal reconstruction project with the blue prints drawn up by very dedicated and talented environmentalists. We are not the weak and the poor today; but as regards control of our land and in some cases our livelihood, we fear this legislation would have us the weak and the poor in the future.

In feudal times the request for outside intervention and protection came from the vassals. You can expect no such request from Cascade Locks. We conducted a survey throughout our service area; over 96% of the respondents stated they wanted to see a continuation of some form of local control. The percentage requesting federal protection and intervention, 1.6.

The City of Cascade Locks may be small and to many in this country (or even the state), insignificant; but we see it a little differently. We were the first customer of Bonneville power. We tackled an urban renewal project that we were told couldn't be done. We have the only municpally owned cable tv system in Oregon, because private enterprise said it wasn't feasible. And the Port of Cascade Locks will soon bring back sternwheeler traffic to the Columbia Gorge. We haven't been afraid of change. But is there a demonstrated need for this bill? Do we really need remote controlled bureaucrats making the decisions that vitally affect our lives? Who would really pay for this scenic area, and who would really benefit?

Can the federal government continue indefinitely acquiring more land--half of Oregon is federally owned now--and continue indefinitely trying to find the resources to maintain those holdings?

Can the beauty of the Gorge be preserved without this legislation? We can answer that with a strong, simple and affirmative yes. To the question of feudalism, no, we don't need the protection, we don't want to incur or pay un-needed expense and we don't want to entertain the lords.

We look forward to a careful analysis of why this legislation is being introduced. We look forward to an honest evaluation of the probable affects that this type of legislation would likely have on the Gorge economy and habitability for its residents. And we look forward to our role in managing the Columbia River Gorge for future generations.

U. S. Senate Commerce Committee

SUBJECT- Scenic Area Legislation for the Columbia River Gorge

Testimony of Kenneth D. Hobson, City Administrator, in behalf of the City of Cascade Locks -- Eugene Miller, Mayor; Marjorie Jackson, T. Dwarf, Fay Randolph Sam Muncie, Joe Wrabek and Rogers Wheatley, Councilpersons

We welcome the Senate Commerce Committee's considering the economic impacts of federal designation of a "National Scenic Area" here in the Columbia River Gorge. This, to many persons, however, is an aside to the real question of who governs, who controls, who makes the decisions of to what best use our lands shall be put? In order that we can speak to your agenda, we must first go on record again as strongly opposing federal mangement or control of the Gorge. Attached is Resolution 414 which the council adopted unanimously stating some of our reasons for limiting a federal role.

The basic economic argument in favor of some federal legislation says a federally designated "Scenic Area" is good for tourism and the corollaries to that proposition are that there exists a need for greater coordination of planning efforts, both land use and otherwise; that we need to be more aware and concerned for the preservation of valuable historical land cultural sites and that we should generally protect our scenic vistas and in other ways make or keep the Gorge in it's natural environment an aesthetically beautiful place to visit.

Those objectives, on their face, are laudable and nearly everyone can embrace them with enthusiasm. The city has been and is now actively supportive of land use planning efforts, the promotion of tourism and the protection of scenery and historical and cultural sites and artifacts. However, as you are all well aware, as like so many other things, there exists competing, equally laudable, objectives, which must be addressed, hopefully, before any law is passed, plan is made or property condemned. What we, and other residents of the Gorge, are trying very hard to do, is have you understand that there exists an economy in the Gorge now, that we are the major part of that economy and that if you propose to alter forever the Gorge economy-- and our lives-- then it should be very thoroughly studied and fairly evaluated before any irreversible actions are taken and that we, as residents, of the Gorge, should have the primary role in that determination. Frankly, many persons in the Gorge are mad, and perhaps a little frightened that the vise of losing traditional jobs and confiscation of private property may squeeze the life, as we know it, out of the Columbia River Gorge. Then proponents would offer us some park space that we might come and visit, and say, this used to be home.

Our concern should be your concern. We need an EEIS (Economic Environmental Impact Statement) before any legislation is finally adopted. We have to have better information as to how our existing economy is functioning today and how it would be transformed by such far-reaching bills as were proposed last year. We need a complete inventory of property that would be considered for outright purchase or building rights, the effects of such acquistions on individuals, communities, utilities and government entities, both the human and financial costs of such a change, facts about the make-up of the existing economic structure and the likely affects of such a dramatic change. If all timberland is reserved for scenic uses, what of our mill workers? If less land is taxable, who will pay more? If more tourists drive our streets, use our parks and need police services, who will pay more?

The original "three threats" used as justification for a federal role were "rapid population growth, uncontrolled development and more than 50 jurisdictions." Our responses are simple and straightforward, "actual population decrease, the most far-reaching and progressive system of land use controls in the country and add 1 more jurisdiction."

Beyond that original list, the litany has now been expanded. We hear that the locals will sell out to monied entrepeneurs; only the federal government can save us. Remember, we are the ones who have preserved and protected the diverse scenic quality we know so well; the federal government has made what changes it felt best. We hear that local governments, even state governments can't afford to do anything; only the federal government has the resources. We also hear the federal government doesn't have enough money to maintain and manage properly the holdings it's now responsible for. We hear that the federal government owns 90% of the Oregon land proposed for this area already. If the federal government hasn't substantially achieved the goal with 90% control already, that should tell us something. We hear that only the federal government has the expertise. Does anyone really believe that? We hear it compared to the redwoods and arguments put forth that it is of national interest and concern and those national interests will not be protected by residents of Washington and Oregon. Well, we just don't know; but we believe we have a good track record. Some of the federal tracks that we're aware of; we don't think we want to run on.

Federal legislation and management is basically a transfer of responsibilities from elected local and state officials to federally appointed "experts" whose qualifications for the job include neither residency and direct familiarity and contact with the land and the people who live on it, nor a real life stake in what happens to us.

We look forward to additional hearings where we will have an opportunity to present our views. We look forward to an honest evaluation of the probable affects that this type of legislation would likely have on the Gorge economy and habitability for its residents. And we look forward to our role in managing the Columbia River Gorge for future generations.

RESOLUTION NO. 414

A RESOLUTION OF THE CITY OF CASCADE LOCKS IN OPPOSITION TO FEDERAL MANAGEMENT OR CONTROL OF THE COLUMBIA RIVER GORGE.

WHEREAS, Oregon Senate Bill 100 established statewide planning goals and guidelines and is acknowledged as one of the most progressive and far-reaching planning efforts in the country, and

WHEREAS, said legislation has been implemented locally through the State Land Conservation and Development Commission's acknowledgement of the city's comprehensive plan and urban growth boundary and similar plans are now being processed for Hood River County and other local entities, and

WHEREAS, said comprehensive plans incorporate local citizen involvement to a high degree and the council believes these local planning efforts are most desirable for planning and protecting our own land in the Gorge community, and

WHEREAS, it is our belief that there are more pressing needs and priorities for scarce federal dollars and that we cannot economically accept an ever-shrinking base of privately owned lands, and

WHEREAS, the results of a local survey distributed to all residents living between Bridal Veil and Wyeth showed only 1.6% of all respondents in favor of federal government management of the Gorge,

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Cascade Locks, Oregon is opposed to any legislation which would provide for federal agency planning, management or control of any lands in the Columbia River Gorge other than that which those agencies may now control.

ADOPTED by the Common Council of the City of Cascade Locks this 10TH day of JANUARY, 1983.

Eugene Miller
Mayor
EUGENE MILLER.

ATTEST:

City Recorder
DON KITCHENS.

RESOLUTION NO. 389

A RESOLUTION STATING THE CITY OF CASCADE LOCK'S POSITION RELATIVE TO POSSIBLE LEGISLATION AFFECTING THE OPERATION OF LOCAL LAND USE PLANNING.

WHEREAS the Oregon Senate Bill 100 has established a set of land use planning controls, in the form of policies, implementation procedures, and appeals process, that are currently in effect in the Columbia River Gorge, and that adequately provide for slow, controlled development of the area, allowing for scenic preservation, and

WHEREAS, implementaion or elimination of controls by a political entity not responsible to the effected citizens could seriously detract from the economic well-being of the City and citizens, the personal rights of the local property owner, as well as jeopardize the scenic qualities of the area.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Cascade Locks, Oregon is opposed to any legislation that would permit a political entity to override or interfere with the implementation of the decisions of the land use planning and zoning agencies currently in existence in and effecting the City of Cascade Locks, including condemnation of privately owned property.

ADOPTED by the Common Council of the City of Cascade Locks this 15th day of June, 1981.

ATTEST:

Erva M. Fanning
City Recorder

Eugene Miller
Mayor

Ludwig Caminita a.k.a. J. Cutroff

Sam Muncie

Sherry W. Atkins

TESTIMONY OF CITY OF CASCADE LOCKS

Kenneth D. Hobson
City Administrator

PROPOSED FEDERAL LEGISLATION

Establishing Columbia River Gorge Commission

Drafted by Governor Atiyeh, Oregon and Governor Spellman, Washington

Eugene Miller, Mayor

Councilpersons:

Marjorie Jackson
Rogers Wheatley
Fay Randolph
Sam Muncie
Joe Wrabek
T. Dwarf

I was in attendance at a speech given by Governor Atiyeh before the League of Oregon Cities -- his statement was as enthusiastically received then as it should be now -- "If it ain't broke, don't fix it!" Maybe the Gorge looks a little uneven from Olympia and maybe a little hazy from Salem; but from Cascade Locks or Stevenson, we can assure the governors, it ain't broke and not about to be broken. So why are you trying to fix us up?

This fundamental question of need is one which we cannot sidestep. If we are to be stripped of the rights we now have to make our own economic and land use decisions, we obviously must be a lot more concerned about the loss of those rights than the identity of the person who's taken them away. Therefore, that there be any legislation which supersedes local control and, furthermore, envisions dramatic changes in the everyday life of Gorge residents, is to us of compelling importance. We believe the statement of purposes in the Act and the overall tone is basically in opposition to "the continued vitality of existing municipalities, homes and businesses" regardless that that statement is found in the bill. The traditional role of local government has been one of balancing competing objectives and giving community direction. The bill would give us instead an appointed commission, a panel of 23 landlords -- with a mandated bias for scenic and natural values -- directing us as to how best keep our homes in order.

What we, and other residents of the Gorge, are trying very hard to do, is have everyone appreciate that there exists an economy in the Gorge now, that we are the major part of that economy and that if you propose to alter forever the Gorge economy -- and our lives -- then it should be very thoroughly studied and fairly evaluated before any irreversible actions are taken and that we, as residents, of the Gorge, should have the primary role in that determination.

If legislation is adopted, it must affirm and protect the fundamental rights of Gorge residents to continue living and working here in traditional occupations and provide that meaningful mechanisms are in place for local participation, representation and control of any regional planning body. We cannot look at the Gorge only through the eyes of Lewis and Clark; we must acknowledge its significance as a transportation route and that its majestic scenery has grown to include a highway corridor, dams and power transmission lines, agricultural and wood products production and processing and homes for thousands of people. For if all timberland is reserved for scenic and recreational uses, what of our mill workers? If less land is taxable, who will pay more? If more tourists drive our streets, use our parks, and need police services, who will pay?

When the city initially reviewed the governors' principles which they said would need be incorporated as a part of any Gorge legislation, we were heartened some -- false hope. The resulting bill proposes "a fixin" for the Gorge that even "a friend" wouldn't offer.

A bill which clearly wishes residents weren't "in the way."

A bill with no partnership.

A bill which says 23 administators are better than one.

There is no commitment to the continued vitality and growth of local communities, not even token exemption of incorporated cities.

There is no support or protection for historical and existing uses.

There is no specific charge to use or build on the already accumulated thousands of pages of planning information now in the hands of the Gorge Commissioners or other planning bodies.

There is no formal public review process identified to make comments on a "final draft plan" prior to adoption.

There is no support to cities or other local governments to assist in their implementation of the plan or in preparation of same.

And there is no easily accessible, timely appeals mechanism for commission decisions.

What is in the bill? A broad, to-be defined, all pervasive commitment to "scenic, cultural and natural resources." A mandate to the commission to secure in whatever fashion it wishes "critical and sensitive lands" unfettered by specific designations, definitions, limitations of acreage or money, and limited only by their zeal: the blunt authority of condemnation for anything in the commissions' domain, and power that supersedes those granted to cities by the states, federal laws and agencies and anything else that would interfere with commission wisdom.

The city's concern for the Gorge and service to the people who live here is not new: testimony at two earlier hearings, passage of two resolutions by the council which are submitted for the record and many letters. Our message and position has been insistently clear; if this bill by the governors had offered a choice, we would have had to respond differently. As it is, our response must be an even stronger reaffirmation of our original position.

Can the beauty of the Gorge be preserved and protection offered for scenic, cultural and natural resources without this legislation? We can answer that with a strong, simple and affirmative, yes. We look forward to our continuing role in managing the Columbia River Gorge for future generations.

Senator EVANS. Thank you.

Bill Hemingway, commissioner, Port of Klickitat County.

[No response.]

Senator EVANS. Bill is not here. William Macht, commissioner, Port of Hood River.

STATEMENT OF WILLIAM P. MACHT, COMMISSIONER, PORT OF HOOD RIVER, OR

Mr. MACHT. I am Bill Macht, a land use professor, development consultant, and Hood River Port commissioner.

Increased tourism as a result of scenic area designation will have a major economic impact within gorge cities. Neither the Senators' nor the Governors' bill provides adequate assistance for urban development of a quality compatible with the scenic resources of the gorge. Without planning and development aid, the cities will be bypassed by single-use, self-contained, destination resorts. Without aid, gorge cities can easily be overwhelmed by the adverse impacts of tourism: commercial strips of trailer parks, sleazy motels, hot dog stands, and tourist traps. These unintended impacts of the legislation will tend to defeat its major purpose of gorge preservation.

With assistance, gorge cities can become vibrant communities in a spectacular environment, attractive enough to function themselves as mixed-use destination resorts. The waterfront of each city is the most visible and valuable scenic urban land in the Columbia Gorge, but substantial aid is needed to redevelop industrial waterfronts for recreation and tourism compatible with the scenic splendors of the gorge. Downtowns of gorge cities contain the highest concentration of public investment and historic value in each community. But, gorge cities need help to revitalize downtowns and to preserve historic assets. Since the legislation itself will have such an impact on gorge cities, State and Federal governments have a responsibility to assist.

The most effective way to revitalize gorge cities to accommodate tourism is to amend the bills to create a Columbia Gorge development bank. The bank should provide technical aid to formulate urban plans for tourism which meet consistent standards of quality. The bank should provide planning and development loans and guarantees to local development projects which are designed to enhance the scenic, cultural, historic, and recreational resources of the gorge. The bank should become a self-funding corporation. The Federal Government should provide seed capital, as well as enough callable capital, to permit the bank to enter private capital markets otherwise unavailable to local entities.

With limited land, labor, and housing, gorge cities have little comparative economic advantage to compete for factories. By contrast, gorge cities have remarkable economic advantage to compete for recreation and tourism based on the diversity of both river and mountain recreation which surrounds them and on their accessibility. Any development which detracts from the physical beauty of gorge cities depreciates the capital assets which make them competitive.

There is limited capacity within gorge cities to meet the challenges and to capture the economic opportunities of increased tourism. Local ports have developed marinas, hotels, museums, and parks. They can lead in mixed-use waterfront and downtown development, but they need the aid of a Columbia Gorge development bank to undertake the revitalization efforts of the magnitude required by the economic impact of this legislation.

Thank you, Senator.

[The prepared statement of Mr. Macht follows:]

WILLIAM P. MACHT ASSOCIATES • COMMUNITY DEVELOPMENT CONSULTANTS

2121 REED ROAD • HOOD RIVER, OREGON 97031 • (503) 386-1636

STEPHEN M. BURDICK
DANIEL R. KJERNE
WILLIAM P. MACHT
KENNETH I. WEAVER

Senator Daniel J. Evans
Senate Hart Building
Washington, D.C. 20510

November 21, 1984
RE: Columbia Gorge Development Bank

Dear Senator Evans:

This letter, the enclosed ten-page report entitled "Expansion of Testimony," and my attached law review article from Georgetown entitled "Financing Developing Country Enterprise Through The Overseas Private Investment Corporation (OPIC)" are all submitted in response to your request for more information about my proposal for a Columbia Gorge Development Bank. I request that all of these be included in the record of the hearing following my testimony, a copy of which is also enclosed.

You asked about the source of my proposal. In fact, it has grown out of 20 years experience first at Princeton's Woodrow Wilson School of Public & International Affairs, as an aide to Senator Javits working on the Peace By Investment Corporation and the Atlantic Community Development Group for Latin America (ADELA), as an aide to Senator Robert Kennedy working on the Appalachian Regional Development Commission, as an attorney drafting the Caribbean Development Bank charter for the U.S. Treasury Assistant General Counsel for International Affairs, as International Counsel for the Gates Rubber Co. and Gates Land Co., as a Development Director for the Rouse Company working on mixed-use urban centers, as a Professor of Urban Studies at the graduate School of Urban & Public Affairs at Portland State Univ. teaching courses on land-use planning law, small cities and the development process, as a development consultant and as a Commissioner of the Port of Hood River.

Before Senator Packwood on Feb. 10,1983, I proposed coupling within a Columbia Gorge Corporation a development bank and a land bank. I said: "As a land bank, the CGC should use its development profits to acquire scenic easements, development rights or outright purchase of critical lands. It should arrange land swaps between public and private entities. It should recapture the increase in land values created by governmental activities, and it should sell or lease for appropriate development as the need arises. It should also be able to issue its own bonds for the purchase of lands of willing sellers."

The land bank proposal appears to be far more controversial than that for the development bank. If you favor this proposal, I would be delighted to review drafts of any legislation you plan to introduce, or to assist in any other way you find useful. I appreciate your thoughtfulness at the hearing and the opportunity to participate in a proceeding which will determine the form, face and future of the Columbia Gorge.

Sincerely yours,

William P. Macht

Enclosures

WPM:mv

November 21, 1984
EXPANSION OF TESTIMONY OF WILLIAM P. MACHT
as requested by and before
SENATOR DANIEL J. EVANS
November 8, 1984

"10. The most effective way to revitalize Gorge cities to accomodate tourism is to amend the bills to create a Columbia Gorge Development Bank."

1. With a multiplicity of jurisdictions, the ten Gorge cities and five local ports in two states have limited planning, development, administrative and financial capacity to capture the economic opportunities of increased Gorge tourism in a concerted way compatible with the scenic resources of the Columbia Gorge.

2. This fragmented situation is analagous to that faced by the multilateral regional development banks which support local tourism development projects which meet common quality criteria.

3. The federal government has taken a leading role in the Inter-American Development Bank, the Caribbean Development Bank, the Asian Development Bank, the African Development Bank and the International Finance Corporation in the World Bank group. The time has come to apply that experience to domestic regional tourism development problems.

4. Though less exotic, the development of hot springs lodges in North Bonneville, an excursion train on the Mt. Hood Railroad and a conference center in Hood River require similar skills as the development of game lodges in Kenya, a touring service in Tunisia and a conference hotel in Jamaica, all of which the federal government assisted through the multilateral regional development banks.

5. Because of its project orientation and accessibility, a Columbia Gorge Development Bank would be far more effective and efficient than existing federal development programs. Gorge cities and ports have insufficient capacity to follow the intricacies and meet the

requirements of the variety of community and economic development programs of the Departments of Housing and Urban Development, Commerce, Labor, Transportation, Energy, Agriculture (FmHA), Interior, Army (Corps of Engineers) and Small Business Administration. Some of these expenditures could be used for seed capital.

6. A Columbia Gorge Development Bank would achieve a synergy between economic development and urban development projects, between those for historic preservation and cultural facilities, and between those for recreational development and employment training.

7. A Columbia Gorge Development Bank would also achieve a synergy among Gorge cities which now function with little common effect. For example, although the Port of Cascade Locks has developed the "Columbia Gorge" sternwheeler, only one other city has built a dock for it and for the "Pacific Northwest Explorer" cruise vessel and none have either planned or developed other support facilities.

8. There are no developers of scale in Gorge cities and private enterprise cannot undertake revitalization efforts of the scale required by the economic impacts of this legislation. The largest private development projects (the Columbia Gorge Hotel, Cloud Cap Inn, the new town of Maryhill, and the Hood River Inn) have all gone through at least one bankruptcy. Even these have been undertaken by Portland and Seattle developers as has the proposed Pacific Crest Inn and Biba Hot Springs.

9. Historically, the federal government has been the largest tourism developer in the Gorge. For example, it directly developed Timberline Lodge, Multnomah Falls Lodge and the new town of North Bonneville. It has also directly developed the largest visitor attractions in the Columbia Gorge: the Bonneville fish and energy museums, The Dalles Dam Train Tour, and the Bonneville and Spring Creek Fish Hatcheries.

10. Rather than continue direct federal development, it is more cost effective to create a Columbia Gorge Development Bank which should have the competence, authority and access to money to foster the public/private partnerships needed to revitalize Gorge cities.

11. The Columbia Gorge Development Bank should be an independent, bi-state, federally chartered corporation. It should be governed by a nine person Board of Directors chosen for their experience and qualifications in architecture and urban design, urban planning, development finance, urban economics, tourism development, governmental underwriting, urban law, venture capitalism, development accounting and foundation administration.

The President should appoint three qualified directors upon the recommendations of Oregon and Washington Senators. The Governor of Oregon should appoint three qualified directors from among residents of Multnomah, Hood River and Wasco counties. The Governor of Washington should appoint three qualified directors from among residents of Clark, Skamania and Klickitat counties.

The Board of Directors should select a President, Executive Vice President and other qualifed officers of the Bank. Officers and directors should be compensated in accordance with their duties rather than federal or state civil service schedules. The headquarters of the Bank should be located in a city within the heart of the Columbia Gorge.

"11. The Bank should provide technical aid to formulate urban plans for tourism which meet consistent standards of quality."

1. The Columbia Gorge Development Bank should provide technical assistance to each Gorge city and port to formulate a detailed waterfront and downtown revitalization and development plan.

2. Each plan should address the need to aggregate small land parcels and inappropriate land uses into areas large enough to accomodate mixed-use development projects which meet consistent standards of quality.

3. Each plan should consider cluster growth and infill development strategies which eliminate commercial strip development.

4. Each plan should contain economic restructure proposals which target and attract complementary businesses, relocate inappropriate industries and reinforce the comparative economic advantage of each city.

5. Each plan should inventory the historic, scenic, cultural and recreational assets of each city and should devise programs for their preservation, rehabilitation, adaptive re-use, enhancement and accessibility.

6. Each plan should inventory all the graphic, structural, environmental and infrastructural liabilities of each city and should devise programs for their elimination, reduction, control, mitigation and replacement.

7. Each plan should inventory the number, quality and variety of housing accomodations available to visitors to the city and should devise programs and projects to increase the supply and diversity of housing types.

8. Each plan should consider the adverse effects of seasonality in the fruit and forest industries, as well as tourism, and should devise programs and projects to mitigate such effects.

9. The Columbia Gorge Development Bank should have authority to provide technical assistance in any area of its competence including market analysis, feasibility analysis, pre-investment assistance, training and educational services, planning and development assistance, graphic and urban design assistance, and architectural and engineering services.

10. To achieve these or any other of its purposes, the Bank should have authority to request proposals from, select, retain, supervise and manage qualified consultants. In order to ensure the quality of its projects and its results in Gorge cities, the Bank may provide such services at less than full cost.

"12. The Bank should provide planning and development loans and guarantees to local development projects which are designed to enhance the scenic, cultural, historic and recreational resources of the Gorge."

1. Except for its planning and technical assistance functions, all activities of the Bank should be focused on specific local development projects. It is this project orientation of the multilateral regional development banks which has ensured their effectiveness as compared with either categorical aid or block grant approaches.

2. The Board of Directors of the Bank should only make loans or guarantees for projects which are consistent with the detailed waterfront and downtown revitalization and development plan it has previously approved, and which are designed to enhance the scenic, cultural, historic and recreational resources of the Columbia Gorge.

3. Ports, as the local development agencies, and private entities should initiate most of the projects which the Bank assists. For example, the Port of Hood River could present to the Bank its proposal for a Columbia Gorge Interpretive Center and Botanic Garden on Wells Island which would enhance the scenic resources of the Gorge. Or it could present a proposal for a Columbia Gorge Museum and Exploratorium in a portion of the defunct fruit cannery which would enhance the historic and cultural resources of the Gorge. Or the Port could present expansion of its Columbia Gorge Sailpark project, designed for sailboard and sailboat use, which enhances the recreational resources of the Gorge.

4. The Bank should establish a limited venture capital fund in order to assist those new businesses which offer unusual promise to diversify Gorge city employment into the export service/information sector, or to enrich the diversity of resources in the tourism sector of local economies. I have described ample precedent for development banks to have authority to make equity investments in my attached law review

article from Georgetown "Financing Developing Enterprise Through the Overseas Private Investment Corporation (OPIC)" [note pages 476-486]. [Because of its relevance and support, I request that the entire article be reprinted at the conclusion of my testimony].

5. The Columbia Gorge Development Bank should exercise its equity authority in the unusual circumstances noted above and with the reasonable assurance that it (1) will have a catalytic effect on other investors, (2) will offer more attractive returns than equivalent loan investments, (3) will provide more flexibility to protect its investment and to assist the enterprise; (4) will provide opportunity to revolve its funds through sale of direct investments to local or regional private investors. [See pages 480-484 of my attached article].

6. In order to maximize the use of its funds and to catalyze maximum private participation in projects, the Bank should use guarantees in preference to loans; short and medium term loans in preference to long term loans; loans in preference to equity; and preferred equity in preference to common equity.

7. The Bank should diversify its loans, guarantees and equity investments to the maximum extent feasible. However, it should concentrate enough investment to secure the success of related investments. For example, the Bank might guarantee a mortgage loan to the Port of Hood River for its Cannery Square redevelopment project and at the same time make loan or guaranty investments in a winery, fruit brandy distillery, dried fruit or other tourism-related food processor which is a tenant in Cannery Square.

8. The Board of Directors should make no investment without a detailed proposal from the applicant and a written report on its merits from Bank staff. The procedure should ensure full public disclosure of any potential conflict of interest of any Director or Officer. [See my article pp. 505-509]. While confidentiality of privileged information should be protected, public notice of, and participation in, all meetings should be provided.

9. Bank investments should be supplementary to local private financing. Applicants should explain in their written proposals to the Bank all prior

attempts to secure local private financing. The Bank may offer technical assistance to the applicant in the proposal process and may capitalize the value of such services in subsequent investments.

"13. The Bank should become a self-funding corporation. The federal government should provide seed capital, as well as enough callable capital, to permit the bank to enter private capital markets otherwise unavailable to local entities."

1. Like the multilateral regional development banks after which it is patterned, the Columbia Gorge Development Bank should become self-funding. Its assistance is not in the form of grants but rather in investments in specific projects which must provide a return adequate to cover its expenses and cost of capital. Its guarantees must be for acceptable risks secured by collateral assets and in return for reasonable fees.

2. In a larger sense, the Bank's security is in the remarkable comparative economic advantage of Gorge cities to compete in the recreation and tourism industries and for regional service offices. This is based on the diversity of both river and mountain recreation which surrounds them, and on their accessibility.

   Hood River, for example, within a distance of only 20 miles provides all the water recreation available on largest river in Northwest, all the mountain recreation available on the highest mountain in Oregon, and the spectacular beauty of orchards and forests, rivers and lakes in between.

   Gorge cities are competitively accessible being only an hour from an international airport on an interstate freeway. Compared with Coast cities 2.5 hours away, or mountain resorts 4 hours away, both via secondary roads, this translates into competitive advantage to attract business conferences, seminars and footloose service/information companies.

Any development which detracts from the physical beauty of Gorge cities not only depreciates the capital assets which make them competitive, but also depreciates the security supporting the Bank's investments.

3. To the extent that the Bank's technical assistance and investments revitalize all Gorge cities, the value of the capital assets in which the Bank has invested will rise significantly. The Bank should therefore require percentage rent leases and equity participations so that its cash flow will increase commensurately with increases in underlying capital assets. In addition, the Bank should attempt to divest some of its increased capital assets in order to invest the profits in new projects.

4. As it has done to start the regional development banks, the federal government must invest paid-in seed capital, on the order of $25-30 million, in the Columbia Gorge Development Bank. In an era of fiscal restraint, some of this seed capital could be reallocated from community and economic development programs of the Departments of Housing and Urban Development, Commerce, Labor, Transportation, Energy, Agriculture (FmHA), Interior, Army (Corps of Engineers) and Small Business Administration.

   In addition, federal, state and local governments could subscribe to the capital of the bank with payment in public lands or development rights on those lands.

5. Even more important, the federal government should subscribe to the Bank's callable capital, on the order of $75-80 million. Callable capital is central to all of the regional development banks and is a fully appropriated subscription to the equity of the Bank which can only be expended upon a call to prevent default by the Bank on its interest, principal or guaranty obligations. It is this callable capital feature which has permitted regional development banks to raise billions of dollars in private capital markets. In fact, a call has never been made by any of the multilateral development banks. [This feature is described in more detail on pages 486-488 of my attached article.]

6. As a federal instrumentality, the Bank should be exempt from federal taxes. As a bi-state instrumentality, the Bank should also be exempt from state and local taxation. Like the cities and ports which it will assist, bonds and notes floated by the Bank in private capital markets should also be exempt from state and federal taxes in both states. This tax immunity will be essential to permit the Bank to raise capital and offer loans at interest rates which discount the premium costs of redeveloping and revitalizing Gorge cities.

   Tax immunity does not distort the selection or timing of of purchase and sale of Bank investments with tax consequences which have little bearing on the economic criteria on which the investment should be judged. Tax immunity also permits the Bank staff to emphasize short-term profitablility which should reduce the time necessary for the Bank to revolve its funds.

   With tax immunity, the Bank can also structure its investments in specific development projects so that it can attract private investors who will benefit from depreciation and other tax incentives.

7. Because of the time, expertise and disproportionate expense required to float small bond issues, Gorge cities and ports are effectively precluded from private capital markets. With its expertise, size and diversity of risk, the Columbia Gorge Development Bank can open private capital markets and should generate capital at lower cost, and without engaging the full faith and credit of the federal government or the states.

8. Currently, the tax exempt obligations of Washington are less desirable to Oregonians because of the different tax structures and treatment in the two states. The Columbia Gorge Development Bank's securities would be equally attractive in both states and would therefore expand northwest private capital markets which are less liquid than the larger California and eastern state markets.

   The charter of the Bank should expressly state that the bonds and notes of the Bank are securities in which public bodies, banks, insurance companies, pension funds, executors and trustees can legally invest.

9. The Bank should attempt to revolve its funds through sale of direct investments to private investors whenever it can appropriately do so on satisfactory terms. The Bank should also be able to sell participation certificates either in specific projects or in a diversified portfolio of projects. This should include the flexibility to offer either a strip of an entire loan or a portion of the early or late maturities. [See pages 484, note 64 and 493 of my attached article].

10. The Columbia Gorge Development Bank should have the full array of legal powers granted to the multilateral regional development banks, the Inter-American Development Bank, the Caribbean Development Bank, the Asian Development Bank, the African Development Bank and the International Finance Corporation in the World Bank group and to the New York State Urban Development Corporation.

Senator EVANS. Thank you, very much.

Pollard Dickson, city planner, North Bonneville, WA.

STATEMENT OF POLLARD DICKSON, CITY PLANNER, NORTH BONNEVILLE, WA

Mr. DICKSON. In the interest of brevity I will simply make the obvious statement on behalf of the vote of the people of North Bonneville that they are categorically opposed to Federal control. However, the statement presented on behalf of the city is from the perspective that sound management with high quality of environmental objectives in the Columbia River Gorge is essential to economic development of the gorge.

I would draw attention to the purpose stated in the Senate bill, as well as the House bill:

> To protect and perpetuate the economy of the Columbia River Gorge, including but not limited to agriculture, fishing, existing hydroelectric facilities, transportation facilities, timber utilization, and character of human habitation, in harmony with the existing visual landscape; and by promoting economic development within the Gorge which is consistent with the existing scenic and natural character of the Columbia River Gorge.

In essence, the entire focus of the legislation is the quality of the landscape. Although words are used in the context of economic and social well-being, the substance of implementation within the bills themselves deals almost singularly with the landscape. I think this is a weakness and it is probably one of the points that has festered a great deal of conflict.

North Bonneville must ask one fundamental question regarding both bills: Where are the implementive directives within either bill that provide for the enhancement of the well-being of the residents or promoting economic development within the gorge? Quite clearly, neither bill provides substance to the language in the form of implementive directives or establishment of funds designated to implement a comprehensive environmental quality objective. We do not accept the premise that the visual landscape and esthetics is the singular important element of the quality of this enviornment. The implementation substance of both bills is, therefore, limited to the focus or objective of protecting and conserving the visual landscape. Enhancement of the visual landscape or reclamation of it or other resource values within the Columbia River Gorge is essentially meaningless.

There has been so much public attention given to the managment entity—a regional commission, Federal control, local control—that in essence, in our opinion, the substance of the bill and a meaningful discussion of that substance has been lost.

The promotion of economic development and the protection, conservation, and enhancement of natural, cultural, and historic resources should be given equal status as an environmental quality objective. Now, this statement can best be understood of why we take this position by taking a look at two basic sets of facts in Skamania County. I would draw your attention to exhibit A and exhibit B to the printed testimony. The first——

Senator EVANS. I wonder. You've still got a long way to go in your written testimony and 3 minutes are up, so I wonder if you could compress the remainder, please.

Mr. **Dickson**. I'll sum up, right away.

The attachments show that in the past 14 years the unemployment rate in Skamania County has been double or triple the national average. The statistics on ownership of land that were previously referred to and discussed in Skamania County is 73 percent Federal, 6 percent State, and 13 percent of the property is partially taxed and only 8 percent is subject to full taxation. In that type of an economic climate, the absence of a comprehensive and joint management effort on the part of all agencies will never change the economic plight of this county in a positive direction.

I would like to conclude by stating that the bills before Congress fall short of a creative solution for the Columbia River Gorge. Both bills are pitted against the fundamental beliefs of the people who live here, and in their present form there is little hope of resolving the intense conflict. Enactment of either bill in its present form would heigthen the intensity of the conflict.

A serious effort should be made to introduce a new bill that is carefully structured as a National Scenic Area Development Act. Positive incentives and precisely defined directives must be implemented through the establishment of a national scenic area development fund.

I would draw attention to two major resources that are available here that should be tapped, the directives of the Northwest Regional Act for bringing on line direct application renewable resources; also, the ability of an economically depressed area to compete in equal measure across the Nation for UDAG funding based on the quality of projects. These types of considerations we would hope would be employed and brought into focus in any final legislation that is considered by the Congress of the United States.

Thank you.

[The prepared statement of Mr. Dickson follows:]

NOVEMBER 8, 1984

NORTH BONNEVILLE, WASHINGTON

POSITION STATEMENT

The City of North Bonneville, Washington offers the following testimony on proposed Columbia River Gorge legislation; Senate Bill 627 and House Bill HR 3853, from the perspective of a municipal corporation that is an integral element of the economic, social and environmental influences within the Columbia River Gorge. The testimony is not limited to a statement of the potential effects generated by the legislation. The scope of testimony has been structured to provide specific comment on the two bills before Congress, a statement of position relating to both bills and presentation of constructive alternatives for consideration by Congress, the State of Washington, Skamania County and other jurisdictions within the Columbia River Gorge.

First, our comments on the two bills before Congress. The primary focus of both pieces of legislation is the establishment of authority for control of decisions that effect the scenic qualities of a defined viewshed within the Columbia River Gorge. The legislation is designed to protect and enhance all scenic, cultural and natural resources of the Columbia River Gorge. The emphasis in findings and purposes of both bills, however, places a primary emphasis upon the scenic quality of the landscape.

Senate Bill 627 emphasizes the purpose of the act as one to "protect, conserve and enhance" the "visual landscape." This primary focus is explicitly clear as stated under the "purposes" of the act when referring to the economy of the Columbia River Gorge at Paragraph (4):

> "[t]*o protect and perpetuate the economy of the Columbia River Gorge, including but not limited to agriculture, fishing, existing hydroelectric facilities, transportation facilities and timber utilization, and character of human habitation, in harmony with the existing visual landscape, and by promoting economic development within the gorge which is consistent with the existing scenic and natural character of the Columbia River Gorge...*" (Emphasis added.)

H.R. 3853, under "Purposes," Paragraph (4), emphasizes essentially the same primary focus:

> "[t]*o establish a single management entitle charged with providing for and managing the public use and enjoyment of the Columbia River Gorge in a manner consistent with natural resource protection and maintenance of the existing landscape...*" (Emphasis added.)

H.R. 3853, however, moves a considerable distance away from the primary focus by providing a clear statement that one of the purposes of the act is to "enhance the well-being of residents and encourage continued growth and vitality of existing municipalities, homes and businesses in the Gorge area." The substance of or broadening of the purpose has meaning only to the degree that directives provide unmistakable commitment for the allocation of resources necessary to ensure implementation of the full purposes of the act. H.R. 3853 falls short of that commitment, as clearly stated under "purposes," Paragraph (13):

> "[t]*o provide funds to assist in the administration of this act and for the purchase of critical and sensitive lands in the Gorge."*

Quite clearly, the guts of the act, the appropriations, center on control of decisions that affect the visual quality of the landscape as the primary focus, even if that requires direct acquisition of lands for that specific purpose.

North Bonneville must ask one fundamental question regarding both bills: Where are the implementive directives within either bill that provide specifically for the "enhancement" of the well-being of residents or "promoting economic development" within the Gorge? Quite clearly, neither bill provides substance to the language in the form of implementation directives or establishment of a fund designated to implement a comprehensive environmental quality objective. The implementation substance of both bills is therefore limited to the primary focus or objective of "protecting, conserving" the "visual landscape." "Enhancement" of the visual landscape or other resource values within the Gorge is meaningless.

There has been so much public attention given to the "management entity" issue that a discussion of substance of proposed legislation has been lost. In the absence of a constructive effort to broaden the scope of findings and statement of purposes to include a comprehensive environmental quality objective within which enhancement of the well-being of residents, enhancement of the visual landscape, promotion of economic development, and protection, conservation and enhancement of natural, cultural and historic resources are given equal status through implementative directives and appropriations, there will be no hope for resolving the conflict that currently exists.

This statement can best be understood by taking a specific look at two basic sets of facts in Skamania County. Attached to this testimony as Exhibit "A," the unemployment rates from 1970 through 1983 and the first six months of 1984 are presented. By the end of 1984, Skamania County will have experienced fourteen years of unemployment at rates double and triple the national average. One of the purposes stated in S. 627 is to "protect and perpetuate the economy of the Columbia River Gorge." It may be nothing more than an unfortunate choice of words. We would respectfully submit that if anyone seriously believes that the economic plight of Skamania County can be materially changed for the better through the proposed legislation with protection of the visual landscape as its limited primary focus, those individuals should be suspect of "falling off the turnip truck." North Bonneville is prepared, however, to sit down with such individuals to discuss detailed economic analyses and fiscal impacts that may be available, turnips and all.

The second set of facts are attached in letter form, Exhibit "B." 73% of Skamania County is owned by the federal government and 6% by the State of Washington. Only 8% of the private lands are subject to full taxation, and 13% to partial taxation.

Taking these figures into consideration, together with the past fourteen years of unemployment rates, an obvious conclusion can be drawn: maintaining the same form of local control will not materially change Skamania County's economic plight for the better. We respectfully submit that, however well intentioned, those who are beating the drum of "absolute" local control as the only solution to correcting economic, social and cultural problems should also be suspected of falling off the same turnip truck that has been rolling up and down the highways on both sides of the river.

The hard realities of economic and social life in our region and nation demonstrate that absolute local control of either is nonexistent. There is, however, a principle in our country that must be guaranteed and reinforced in our mutual efforts to solve both economic, social, cultural and environmental problems. We all shoulder the responsibility of seeking solutions as equals. Anything short of this concept in fundamental premise is unacceptable. In equal measure, a premise that promotes freedom as license is equally unacceptable.

The bills before the Congress fall short of a creative solution for the Columbia River Gorge. Both bills are pitted against fundamental beliefs of the people who live here. In their present form, there is little hope of resolving the intense conflict. Enactment of either bill in present form would heighten that conflict. A serious effort should be made to introduce a new bill that is carefully structured as a "National Scenic Area Development Act." Positive incentives and precisely defined directives must be implemented through the establishment of a National Scenic Area Development Fund. Administration of the fund must be through individuals who do not have weighted influences. They must sit as equals for management purposes to insure that a comprehensive environmental quality objective is realized. That objective must include economic, social, cultural, historic, natural and visual resources in balance. No one objective can be allowed to overside another.

A constructive effort should also be made to incorporate other legal mandates and national commitments as resource elements that shall be brought to bear for the sake of enhancement, promotion and reclamation as required to guarantee that the environmental quality objective is realized. For example, federal legislation can be introduced to insure that the economically depressed area of the Columbia River Gorge is placed on equal footing in national competition for Urban Development Action Grants. Once eligible, cities in the Gorge would be availed the opportunity to compete strictly as equals based upon the quality of the projects or proposals submitted.

Another example is the implementation of the legal mandates of the Northwest Regional Act for promotion and development of direct application renewable resources. Currently there exists within BPA an avoidance of meeting that legal mandate because of a surplus of electricity in the region. Bringing direct application renewables on line in Skamania County is reachable because of a significant low temperature geothermal resource potential. It is important to note development of such resources could realistically accelerate implementation of a comprehensive environmentally sound and balanced management plan for the region.

In conclusion, we would respectfully request that a more creative, positive approach to this legislation be undertaken. We stand ready to contribute our part and share in that responsibility.

Civilian Unemployment Rates

	Skamania County 1/	Washington State 1/	United States 2/
1970	12.0	9.2	4.9
1971	12.1	10.1	6.0
1972	10.6	9.5	5.6
1973	9.0	7.9	4.9
1974	11.5	7.2	5.6
1975	15.3	9.5	8.5
1976	11.8	8.7	7.7
1977	13.4	8.8	7.1
1978	11.4	6.8	6.1
1979	9.5	6.8	5.8
1980	12.8	7.9	7.1
1981	18.8	9.5	7.6
1982	27.1	12.1	9.7
1983	20.5	11.2	9.6
January 1983	36.4	13.8	9.4
February 1983	32.0	13.4	9.6
March 1983	25.2	13.0	10.8
April 1983	23.0	11.8	10.0
May 1983	18.8	11.3	9.8
June 1983	17.0	10.8	10.2
July 1983	16.4	10.6	9.4
August 1983	13.9	10.1	9.2
September 1983	12.8	9.3	8.8
October 1983	13.4	9.5	8.4
November 1983	17.6	10.2	8.1
December 1983	23.2	10.3	8.0
January 1984	33.3	12.2	8.8
February 1984	29.9	11.7	8.4
March 1984	22.2	10.6	8.1
April 1984	19.2	10.2	7.6
May 1984	17.6	9.6	7.2
June 1984	15.4	9.4	7.4

1/ Estimates prepared by the Washington State Employment Security Department in cooperation with the Bureau of Labor Statistics, U.S. Department of Labor.

2/ Estimates prepared by the Bureau of Labor Statistics, U.S. Department of Labor.

SKAMANIA COUNTY ASSESSOR

STEVENSON, WASHINGTON 98648

LINDA L. LETHLEAN
ASSESSOR

PHONE (509) 427-5141

February 18, 1983

FEB 1983
RECEIVED
CITY OF NORTH BONNEVILLE

Pollard Dickson
North Bonneville City Hall
North Bonneville, WA 98639

Dear Pollard:

Skamania County consists of 1,118,080 acres. Of this
amount: 73% is Federal,
6% is State,
13% is partially or fully exempt from taxes
8% is subject to full taxation.
100%

Within the 13% category is land that is given a tax break to encourage it to be used for the growth of timber or for farming. This exemption greatly reduces Skamania County's tax base. Of the 143,063 acres currently under this program, the average per acre market value would be $2,000 but is being valued at "current use" assessment at an average of $150. This is a loss of $264,666,550.

The 1983 assessed valuation for 1983 taxes is $270,209,720. As you can see we would have almost twice the tax base if there were no exemptions of this type.

Sincerely,

Linda

Linda L. Lethlean
Skamania County Assessor

LLL/gk

EXHIBIT I-B

Senator **Evans**. Thank you, very much, Mr. Dickson.
Ethan Seltzer, Office of Public Works, city of Portland, OR.

STATEMENT OF MIKE LINDGERG, CITY COMMISSIONER, PORTLAND, OR, AS PRESENTED BY ETHAN SELTZER

Mr. **Seltzer**. Thank you, Senator Evans, members of the audience, Mayor Fuller and Stevenson for holding this hearing today. My name is Ethan Seltzer. I'm here representing Portland City Commissioner Mike Lindberg, who could not be here today. In my testimony, when I say "I" I'm referring to Commissioner Lindberg and his views.

I'm here today to voice my strong support for legislation that will effectively protect the resources of the Columbia River Gorge. More specifically, I wish to go on record once again as being in favor of the creation of a national scenic area as proposed in S. 627 introduced in 1983.

Much has been said in the past regarding the unique features of the gorge. There is little question that it's a landscape beyond compare, that it's a dazzling place for geologists, that it has an awful lot of things to offer us all.

It also has other opportunities in addition to its remarkable scenery. It has been and continues to be the home for a diverse group of people and communities. The history of human settlement and the use of this area goes back thousands of years. The gorge was key to the settlement and development of the Northwest inland empire and it continues to be so.

Today the gorge is an important part of our Northwest economy. The electric power generated in the Columbia River system has given industry an incentive to locate here. The river is a vital transportation artery, tying areas east of the Cascades to a world market.

Tourists flock to the gorge from all over the world, and I might say that when I was on vacation this summer I picked up a magazine and found an article about wind surging in Hood River, in an international publication. I was surprised. In fact, it's quite likely that tourism will continue to emerge as one of our most important industries here in the Northwest.

There's no question that the gorge is a unique and rare resource that reveals something to us all about ourselves and our communities, and which contributes to the quality of life we enjoy. However, I'm here today to speak to two other elements of the gorge that can only be protected and enhanced by a national scenic area.

First, there is the regional interest in the gorge. The citizens of Portland, for example, although not living in the gorge, have a definite interest in its preservation and management. Portland residents have long used the gorge extensively for recreation. Tourism dollars flowing into our community are certainly due in part to the drawing power of the gorge. Finally, Portland is a city of fishing enthusiasts and the productive capacity of the Columbia and its tributaries is critical to their enjoyment of that sport. In other words, there is a regional interest, and any management plan or process needs to recognize that.

Second, there is a national interest in the gorge. The 1980 National Park Service study of the recreation potential for the gorge found, among other things, that the gorge is a nationally significant resource that warrants protection.

There is no other Columbia Gorge. This is the only one available to the citizens of the United States. Its management needs to strongly recognize that fact. To not afford the gorge this status would be to, in effect, deny assertions regarding its scenic, scientific, cultural, social, and economic value.

Here in the Northwest we are strongly committed to making sure that local voices are heard when it comes to issues confronting their communities. But, I think that it's time now to realize that local voices cannot be expected to speak to either the regional or national interests present in the gorge, nor should we expect them to. The challenge here is clear. We must respond to the needs of the residents of the gorge while balancing them with other local, regional, and national concerns.

I've studied the proposals offered to date and I'm convinced that the only vehicle for making this happen fairly and effectively is through the creation of a national scenic area as proposed in S. 627. The gorge is all of ours and national scenic area designation is her future.

Thank you.

[The prepared statement of Mr. Lindberg follows:]

TESTIMONY OF PORTLAND, OREGON, CITY COMMISSIONER MIKE LINDBERG

COLUMBIA GORGE LEGISLATION

STEVENSON, WASHINGTON

NOVEMBER 8, 1984

I am here today to voice my strong support for legislation that will effectively protect the resources of the Columbia River Gorge. More specifically, I wish to go on record, once again, as being in favor of the creation of a National Scenic Area as proposed in S627, introduced in 1983.

Much has been said in the past regarding the unique features of the Gorge. There is little question that it is a landscape beyond compare, dramatic and startling for resident and visitor alike. The interplay of river, waterfalls, and mountains makes the Gorge an international destination. It's a dazzling place for geologists, and the diversity of plant communities and species makes it a living laboratory for both amateur and professional botanists.

But the Gorge also offers other opportunities for us all in addition to its remarkable scenery. It has been and continues to be home for a diverse group of people and communities. The history of human settlement and use of the area goes back thousands of years. The Gorge was key to the settlement and development of the Northwest's inland empire. For people living outside of the northwest, the Gorge is a symbol of the beauty and resources for which the northwest is noted, as well as an example of the challenges that early and explorers and settlers had to cope with.

Today, the Gorge is an important part of our northwest economy. The electric power generated in the Columbia River System has given industry an incentive to locate here. The river is a vital transportation artery tieing areas east of the Cascades to a world market. Tourists flock to the Gorge from all over the world, contributing to the creation of jobs in our local communities. In fact, it is quite likely that tourism will continue to emerge as one of our most important industries here in the northwest.

There is no question that the Gorge is a unique and rare resource that reveals something to us all about ourselves, our communities, and which contributes to the quality of life we enjoy. However, I am here today to speak to two other elements of the Gorge that can only be protected and enhanced by National Scenic Area designation.

First, there is the regional interest in the Gorge. The citizens of Portland, for example, although not living in the Gorge, have a definite interest in its preservation and management. Portland residents have long used the Gorge extensively for recreation. Tourism dollars flowing into our community are certainly due, in part, to the drawing power of the Gorge. Finally, Portland is a City of fishing enthusiasts, and the productive capacity of the Columbia and its Gorge tributaries is critical to their enjoyment of that sport. In other words, there is a regional interest in the Gorge that needs to be represented in any management plan or process.

Second, there is a national interest in the Gorge. The 1980 National Park Service study of the recreation potential for the Gorge found, among other things that the Gorge is a "nationally significant resource that warrants protection." There is no other Columbia Gorge. This is the only one available to the citizens of the United States, and its management needs to strongly recognize that fact. To not afford the Gorge this status would be, in effect, to deny assertions regarding its scenic, scientific, cultural, social, and economic value.

Here is the northwest we are strongly committed to making sure that local voices are heard when it comes to issues confronting their communities. But I think that it is time, now, to realize that local voices cannot be expected to speak to either the regional or national interests present in the Gorge, nor should we exect them to. The challenge here is clear: we must respond to the needs of the residents of the Gorge while balancing them with other local, regional, and national concerns. I've studied the proposals offered to date, and I am convinced that the only vehicle for making this happen fairly and effectively is through the creation of a National Scenic Area as proposed in S627. The Gorge is all of ours, and National Scenic Area designation is our future.

Thank you.

Senator **Evans**. Thank you, very much.

I'd first ask a question of Mayors Fuller and Johnson. Being in the area and close to it, do you feel that there are any special or scenic characteristics of the gorge which require unusual protection? In other words, is the gorge special?

Ms. **Fuller**. Well, I don't know. I've lived here most of my life. I just feel that there are areas that are being protected. You asked if there are any that specially need protection. I think the waterfront, of course, is one that needs protection. But, would you mind awfully if I gave you an example of an area that has been turned over to the Indians up at Burr Creek Meadows? I visited there this summer and I had visited there in the past. This year it was truly beautiful. They had done a wonderul job there of protecting that area, of protecting the beautiful plants and things there. They had limited the camping. I just was really thrilled to see what a wonderful job they had done, these local people, the Indian group.

Of course, I think that Mount St. Helens, of course, there's lots being done in that area right now. I think that some of the Federal land now could be improved. I think that some of that, due to lack of funds, has deteriorated considerably. Government Springs I think is one example. I think the Federal Government could really look to what they already own, to improve it and make it a beautiful place.

Senator **Evans**. Mayor Johnson.

Mr. **Johnson**. Yes; I would concur with what Mayor Fuller has said, and also add that I think one of the resources that is of regional concern that needs protection and I think that has not received the amount of protection that it probably should have is the Columbia River itself. I think that through the influence of the Hanford site, also of the many hydroelectric plants that we have on it, that there is some improvement that we could do with the Columbia River itself.

Again I would stress what Mayor Fuller has said. I think the local people, as far as the scenic sites, will do a much better job of preserving them than if we add some layers or if we move the perspective to Washington.

But, again I would reiterate that I think that the Federal Government definitely has a role here. I think there is expertise you can offer to us. Maybe you are the vehicle of bringing the counties—and I think the counties are probably the most obvious government entity to manage it; but, maybe you can bring them together and help them work out a plan that will be truly responsive to the needs of the area.

Senator **Evans**. Ms. Lehman from Vancouver, I probably should wait for this question until some people later on in the afternoon testify, but I guess I'm afraid I'll forget it. You mentioned the U.S. Forest Service as being the one that has the expertise and their being looked on by many who advocate a strong Federal presence in the gorge as being the agency and the Federal Government, of course, being the level to really do the best job. I've often been struck by the very same people coming back and testifying to us when wilderness legislation was in front of us that the Forest Service had done a miserable job of managing the timber and, therefore, we needed these special new pieces of legislation.

Which is it? Is the Federal Government benign? Evil? It seems to me sometimes we use the Federal Government level for our purposes, whatever they are.

Ms. **Lehman**. Each of the above.

Senator **Evans**. I was afraid you'd say that.

Ms. **Lehman**. If another entity or structure would do the job extremely well for all the jurisdictions emerged or developed, it would be equally acceptable. At this time this is the one we see as the obvious caretaker.

Senator **Evans**. OK. Well, I guess bringing it more specifically to the city of Vancouver, you came back to us and urged us to see to it that we gave back Fort Vancouver in the city of Vancouver, which was under Federal control; but, now you say that it no longer should be, that the city could do a much better job of managing it.

Ms. **Lehman**. No; that was not quite correct, Senator.

Senator **Evans**. OK.

Ms. **Lehman**. As long as the Federal Government had the houses, we were very confortable with the arrangement. Our problem was that the Federal Government intended to sell them on the open market for commercial use, and then the whole area would have lost a very precious historical piece of real estate. If the Federal Government had wanted to keep them and maintain them, we would have been extremely happy.

Senator **Evans**. Not as happy as having them yourself and some money to do it?

Ms. **Lehman**. Looking at the bill, we might have been as happy.

Senator **Evans**. That's one of the things that goes along with local control—local responsibility.

Ms. **Lehman**. Yes; we're aware of that.

Senator **Evans**. I'm interested, Mr. Macht, in the proposal for a Columbia Gorge development bank. Perhaps now isn't the time to get into further detail, but that's an interesting proposal. If you have further information or have developed that any further, I think that could be a very useful thing to submit to us at some later date.

Mr. **Macht**. I'd be happy to do that, Senator.

Senator **Evans**. Good. Has this been worked up so there is some additional material, or could it be developed further so we can get a better sense of just what that would contemplate?

Mr. **Macht**. Well, it has not been further worked up in any considerable detail. However, it could be an appropriate mechanism. There are certainly examples in which the Federal Government is involved. The Caribbean, the Inter-American Development Bank, and in the Asian Development Bank, in terms of their operations if not their structure might be appropriate analogs.

Senator **Evans**. Good. That would be very helpful if you would care to do that for us.

Also, Mr. Dickson, the same thing in your testimony, you talked about a National Scenic Area Development Act. That sounds like it's a little different than any of the other proposals which have been made for the area. Is there further information on that or could some be put together that could be submitted to us?

Mr. DICKSON. Yes; Senator, we could very easily. The endeavor is one to invest the type of confidence with prospective private investors who are interested in the Columbia River Gorge. One of the key aspects of their security package for their investment is high environmental quality. They've made no mistake to the city of North Bonneville about that as an absolute prerequisite for them to invest. We have taken a hard look at how we can help with that objective.

I think that such a National Scenic Area Development Act would help us solve both problems: the critical need for economic development, simultaneously with protection. We will present that to you, sir, in greater detail.

Senator EVANS. Thank you.

Mr. Seltzer, while I feel a little uncomfortable even asking this, you representing Commissioner Lindberg, but I'm curious if you, or anybody else during the course of the day, would like to tell me as of today in the physical gorge itself within the outer limits that are being considered by various pieces of of legislation, what is the most obtrusive or biggest environmental problem that's occurred so far? Or the two or three biggest ones?

Mr. SELTZER. Two or three, OK. The first one I would say, speaking as someone who is an assistant to Commissioner Lindberg, not——

Senator EVANS. I understand that.

Mr. SELTZER. All right. The first one I think was already mentioned, and that is the Columbia River itself. I think in some respects we've paid too little attention to exactly what we're doing with the water and the water quality.

The second one would be the tributaries to the gorge. I think that there has been too little attention paid to what development along those tributaries is doing to fishery resources and other kinds of resources.

The third I think has to do with what I'll just call loosely the sprawl issue, development along scenic vistas. I don't have the figures with me, but I've seen figures that show a lot of folks from Portland end up heading out to the gorge for a variety of outings, and I think the changes in the landscape are things that they notice.

I think those are the kinds of issues that people are concerned about.

Senator EVANS. Would you include I-84 in the list?

Mr. SELTZER. For some people, yeah, definitely. I mean I don't think there's any way around that. The gorge has unique properties. Some of them have to do with noise. I think there's just no way of getting around the effect of I-84 in the gorge.

Senator EVANS. How about transmission lines and transmission line corridors that impinge on the gorge?

Mr. SELTZER. Again, for some people I think that those would be considered obtrusive and an environmental problem.

Senator EVANS. Probably the most visible of anything that's been done so far in the gorge area?

Mr. SELTZER. You can't miss them.

Senator EVANS. It seems to me ironic that most of those things which so far have been the most obtrusive in the gorge have all evolved out of Federal action. It's either the Federal dams, the Federal transmission lines, the Federal highways or the other elements of the gorge, and that it hasn't been the local impingement on the gorge as much as it has been some of those major Federal actions. But, now we want the feds to control it?

Mr. **Seltzer.** I think one thing that's clear about this issue is it's impossible to point the finger at any one person or any one group and say they're the culprits, or they have to suffer, or this is how the regulation has to be. I think what's clear about this issue is it's complex, it's going to involve all of us if we're going to fugure it out, and in my experience, in just looking at the issue for Commissioner Lindberg, there is no silver bullet for this issue. It's going to be complex, it's going to involve everybody. Pointing fingers I think, as was pointed out earlier, is not going to get us to the solution I think we're all looking for.

Senator **Evans.** So, it seems to me that calls pretty loudly for some kind of cooperative venture eventually, rather than an imposed solution.

Mr. **Seltzer.** With acknowledgement of the fact that in addition to strong local interest, there is also a regional interest and a national interest.

Senator **Evans.** OK, good. Thank you, very much. This has been very helpful to us.

Next, I'd like to announce, before we call the next panel forward, that we will take only a short break for lunch. There are way too many people who would like to testify, and I don't want to spend very much time off for lunch. After the tribal representatives have spoken and that panel has concluded, we will break for 20 minutes. during that time I hope that you can get lunch. But, one way or another, that's all we'll break for.

I'm pleased now to call forward Nathan Jim, representing Levi George and the Yakima Indian Nation; Claude Smith, Sr., from the Warm Springs Confederated Tribes; Rod Cowapoo from the Umatilla Confederated Tribes; Floyd Billy Harrison, Lucille Aalvik and Chief Freddie Ike.

I'm pleased first to recognize Nathan Jim, representing Levi George from the Yakima Indian Nation.

STATEMENT OF LEVI GEORGE, MEMBER, TRIBAL COUNCIL, CONFEDERATED TRIBES AND BANDS OF THE YAKIMA INDIAN NATION AND THE COLUMBIA RIVER INTERTRIBAL FISH COMMISSION, AND THE VICE CHAIRMAN OF THE YAKIMA INDIAN NATION FISH AND WILDLIFE COMMITTEE, AS PRESENTED BY NATHAN JIM

Mr. **Jim.** For the record, Senator Evans, Mr. Levi George is unable to be here, but arrangements were made that I should read his statement into the record, as Mr. Levi George is enroute to Washington, DC, on some emergency tribal issues.

Senator Evans, thank you for the opportunity to testify before the subcommittee today on this matter of great importance to my tribe and to the member tribes of our Commission.

As you know from your experience as Governor and as chairman of the Northwest Power Planning Council, water and fishery resources of the Columbia River and its tributaries are as important to the Indian people as they were prior to white settlement. Our spiritual and cultural existence and our tribal economies depend upon the continuing health of our fishery resources secured to us in treaties signed by representatives of the U.S. Government in 1855. The responsibility of securing these resources rests upon all three branches of the Government, and should be carefully considred in developing legislation to protect the resources of the Columbia River Gorge.

Senator Evans, we are concerned that legislation protecting the gorge itself will only force developers to locate in the canyons of the gorge tributaries, major sources of fish and water that contribute to the great abundance of the Columbia River.

In addition, my tribe and the other member tribes of the Columbia River Inter-Tribal Fish Commission are troubled by the mounting number of hydroelectric projects proposed for gorge tributaries. We believe these projects are not needed while a surplus of electricity is being sold outside of the region and when conservation opportunities have hardly been tapped.

In light of your efforts in the fish and wildlife program to provide for protection from the adverse effects of hydroelectric development on our fisheries, as well as your work in the Senate on S. 3006. we believe you understand the problem we are presenting here. We must thank you for your important initiatives on this issue, but we must also ask that you ensure that the tributaries of the gorge are protected so that they can continue to produce salmon and steelhead for our people and for the many people of the Pacific Northwest who depend upon these magnificent fish.

A few years ago, law enforcement agencies attempted to place the blame for the loss of 40,000 fish between Bonneville and McNary on Indian poachers. However, a later radio tag study performed by the National Marine Fisheries Service of the situation showed that the fish missing between the dams were not poached, but that many of them were turning off into the many tributaries that feed the Columbia below McNary Dam. These tributaries must be protected if we are to restore fisheries above Bonneville Dam. Tributaries such as the Klickitat, the White Salmon, the Little White Salmon, the Wind River, the Deschutes, and other creeks and rivers running into the Columbia should be protected from adverse development in any legislation introduced in the next Congress designed to protect the gorge.

Again, Senator, thank you for your sincere efforts to protect the Columbia River's fish resources, and for your understanding the ways and the needs of the Washington Indian people.

Thank you.

Senator Evans. Thank you, very much.

Next is Claude Smith, Sr., from the Warm Springs Confederated Tribe.

STATEMENT OF CLAUDE SMITH, SR., MEMBER OF THE FISH AND WILDLIFE COMMITTEE OF THE CONFEDERATED TRIBES OF THE WARM SPRINGS RESERVATION OF OREGON AND THE COLUMBIA RIVER INTERTRIBAL FISH COMMISSION

Mr. SMITH. Thank you. I am Claude Smith, Sr., a member of the Fish and Wildlife Committee of the Confederated Tribes of Warm Springs.

Senator EVANS. Excuse me, could you use the taller microphone?

Mr. SMITH. I'm short.

I'm also a member of the Columbia River Intertribal Fish Commission. Senator Evans and members of the subcommittee, thank you for the opportunity to testify on legislation to protect the Columbia River Gorge. My name is Claude Smith, Sr., and I am a member of the Confederated Tribes of Warm Springs. As a tribal member, I had the opportunity to fish at Celilo Falls and remember with regret the loss of those fishing sites due to inundation of The Dalles Dam in 1957. I am also mindful of the inundation of fishing sites by the Bonneville Dam, and the later purchase of sites along the river by the Corps of Engineers to serve in lieu of our usual and accustomed fishing sites in the Bonneville Pool. Those sites remain in use by members of my tribe as well as membes of both the Umatilla and Yakima Tribes. They serve as partial compensation for the loss of our fishing sites in the Bonneville Pool, and under no circumstances should they be affected by legislation under consideration by your subcommittee today.

Both the Governors' bill and the bill proposed by most of the Oregon delegation included a disclaimer stating that the treaty and other legal rights of treaty tribes would not be modified or affected by the gorge legislation. We believe this disclaimer should be included in any such legislation introduced during the next Congress.

On a more positive note, however, we trust you will recognize that the Columbia River treaty tribes are governments that maintain certain areas of jurisdiction in the gorge, and that gorge legislation should include tribal representation on any interagency bodies established in the bill. The treaty tribes, as governments have a special interest in the natural resouces of the gorge, as well as the cultural resources and places where our people have resided since time immemorial. We hope you will take this into account and include appropriate language in proposed legislation when this matter is considered during the next Congress.

Thank you for your sincere and important work on behalf of the resources of the Columbia River as well as her treaty tribes, and please be sure to call on us if we can be of any assistance.

Thank you.

Senator EVANS. Thank you, very much, Mr. Smith.

Next, Rod Cowapoo of the Umatilla Confederated Tribes.

STATEMENT OF ROD COWAPOO, CHAIRMAN OF THE FISH AND WILDLIFE COMMITTEE OF THE CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION AND MEMBER OF THE COLUMBIA RIVER INTERTRIBAL FISH COMMISSION

Mr. COWAPOO. Thank you, Senator. This is the testimony of Rod Cowapoo, chairman of the Fish and Wildlife Committee of the Confederated Tribes of the Umatilla Indian Reservation and member of the Columbia River Intertribal Fish Commission before the Subcommittee on Public Lands and Reserved Water concerning Columbia River Gorge protection legislation in Stevenson, WA, on November 8, 1984.

On behalf of the Confederated Tribes of the Umatilla Indian Reservation, thank you for seeking our views on legislation to protect the Columbia River Gorge.

The tribes and bands of the Columbia River that were parties to treaties made in 1855 have lived around the river and its tributaries since time immemorial. The culture and religion that our people share is not simply a set of beliefs; it reflects the land and the water, the fish and wildlife; it can be seen in our ceremonies and in the many thousands of artifacts that have been taken from places along the rivers; and it is a living part of the history of mankind.

As a part of our treaties with the United States, the Columbia River treaty tribes sought and obtained a promise from the Federal Government that the essential aspects of our culture would be secured. Our hunting, fishing, and gathering rights, our self-government, and our reservation land base were confirmed in the treaties; yet we have seen Federal policies developed after 1855 that had the effect of eroding these rights.

Gorge legislation introduced during the last Congress had as its purpose the protection of the scenic resources of the Columbia River Gorge. While this is an important purpose and, with suitable disclaimers, is unlikely to adversely affect treaty rights, much more is needed to protect both the cultural and natural resources of the gorge. Therefore, we request that you include specific language aimed at expanding the purpose of any proposed gorge legislation to recognize the importance of treaty rights and the intent to protect gorge cultural, and fish and wildlife resources.

Inclusion of the gorge tributaries is one means of carrying out this purpose. A system for highlighting and protecting the cultural and historical resources of the gorge is an additional method. In this regard, we believe that the Department of the Interior is the appropriate managing agency for gorge protection because of its special trust responsibility to Indian tribes. In addition, Interior includes the Bureau of Indian Affairs, the Park Service, and the Fish and Wildlife Service, agencies that have the special expertise necessary for protection of gorge resources.

Gorge legislation can be an important element in your efforts, Senator Evans, to protect and enhance the resources of the Columbia River. If we can be of assistance in supporting your work, please do not hesitate to call on us.

Thank you.

Senator EVANS. Thank you, very much.

Next, Mr. Floyd Billy Harrison.

STATEMENT OF FLOYD BILLY HARRISON, FIRST COUNCILMAN OF THE KAH-MALT-PAH, MID-COLUMBIA BAND

Mr. HARRISION. I'm honored to be here today to speak of the unique characteristics of this beautiful gorge which means so much to all of us first American citizens. In my childhood days, I've seen what was part of Celilo Falls. Since I've seen what has happened to Celilo Falls, it hurts my heart to realize I will never see the beautiful gorge again like it was in my childhood days. If theres' anymore changes, it will be a burden to my people and the environment.

Where they build the dams, I seen original towns, and important landmarks, and plateaus disappearing. Plateaus were there, now they are gone forever. We gather today not to let this happen.

This water is life to all of us. Where would we be without the water? This gorge is not only historical, but has good meaning to all citizens. How would the Federal Government feel if we built factories on top of their forefathers' remains? The Federal Government, which I represent with a number, has the right to protect the environment of this gorge. The Federal Government only makes promises they don't keep, like they did to our treaties.

You and I have the right to tell our Senators and Representatives how we feel about our beautiful gorge because we are the ones who live in this part of the State. In the past, the Federal Government used to have respect for our plateaus and monuments. At one time the word of my forefathers and your forefathers was respected. One time they respected our lives and traditions. My people from this river and gorge, we never authorized to destroy what was to share with Indians and non-Indians, from generation to generation. When they made the treaties with Isaac A. Stevenson we never was recognized. Today we don't recognize, only we intervened with the Yakima Nation, but we are not Yakimas.

Local and State governments have done nothing for Columbia Indians. Graveyards, homes, monuments are not protected. Only us can help. Columbia River Indians have an interest in the gorge, too. We ask the Government to recognize this and recognize neither the Yakimas nor the Warm Springs speak for us. We are the Columbia River Indians.

Thank you, Senator.

Senator EVANS. Thank you, very much.

Next, Chief Freddie Ike.

STATEMENT OF CHIEF FREDERICK IKE, SR., COLUMBIA RIVER INDIANS

Chief IKE. Thank you.

Senator, this day, and that Sun, and as God is my witness, I am going to make this statement.

I was appointed by my people to serve as the chief of the Columbia River Indians on March 23, 1983, through the heirship, through blood relation of Chief William Yallup.

On April 9, 1983, Howard Jim was named as subchief through sacred ceremonies at the place of my birth, Rock Creek, WA.

You know, as a traditional and religious leader of my people, I speak from my heart. I speak of my religion and my land, the Columbia River. My people were created here on this part of the Earth. We were given sacred instructions in our religion, which is practiced to this day. Our ancestors transmitted the wisdom and the sacred words and the songs through the generations, and which I still carry today. It is our belief that it is wrong for my people to sell our land and our water, which is against my Creator's unwritten laws.

So, therefore, we oppose any more development along the Columbia River, on both sides. We have lost too much land already during the past, since the 19th century, and it is about time that it has to stop some time. It is a great heartache to my people to see our cemeteries and the resting places of our ancestors be desecrated and inundated by the construction of the dams, the railroads, and the highways.

It is our belief that I stand one with this land, and the land and the Earth is one with me. The water that runs through this Earth is the Earth's blood, and the Earth's blood is my blood. It is with that conviction and that belief that people chose never to leave this country and to abandon this land. We still believe that. We still follow their teachings to this day, and we still live along both sides of the Columbia River.

I think that we have a right to speak on our own behalf on both sides of the river, Washington and Oregon, over any legislation or any plans that are on the books today.

Another thing I'd like to ask the local, State, and Federal governments to let my people remain where they live today on both sides of the river, not to evict them from their homes. We believe that we have a birthright, aboriginal rights of this land, and we believe that we should be recognized as the spokesmen of this part of the land here, the Columbia River.

Thank you.

[The prepared statement of Chief Ike follows:]

November 8, 1984

TO: Washington State Congressmen, Senators, Governor, & Representatives
Oregon State Congressmen, Senators, Governor, & Representatives
Other Officials & Representatives of Columbia River Gorge Project

I was appointed by my people to serve as their Chief by heirship of the late Chief William Yallup on March 28, 1983. And for the records, I was born in Rock Creek along the Columbia River.

On April 9, 1983, Howard Jim was named as my sub-Chief. In addition, 14 council members were elected. Since my appointment and the elections of our council, we have formed a non-profit organization-a Cemetery Association to address the issues and problems of our burial sites and grounds in both Washington and Oregon states. Further, we have seen the need to form our own Fish Committee lead by me as the Chief and my sub-Chief. It has become necessary to seek legal counsel and we are represented by attorneys who practice law in Washington State and Oregon State.

As a leader, I firmly believe that I must defend my land, water, food, and my people, as we were placed here by the Creator on this part of the earth known as the Columbia River area.

It is true that our Creator gave my ancestors unwritten sacred instructions through vision and dreams of our own Religion which we follow and believe in to this day. Since beginning of time these sacred instructions have been transmitted through the generations by learning and listening to leaders and elders who had the wisdom, sacred words, and the worship songs that echo in our traditional ceremonies today. These sacred words and sacred songs is our God-given unwritten bible. That is why we know that the salmon, deer, roots, berries, and water are our sacred foods because they are identified in our Religious songs, as are other creations on this earth.

From the beginning, we have known and today strongly believe that selling of our land and water is wrong and violates the unwritten laws of our Creator, as I stand as one with this land. I am a part of this earth and this earth is a part of me. The water is the earths blood and the earths blood is my blood. It was with this same conviction that our ancestors chose to live and remain along the Columbia River. Our ancestors chose never to abandon this sacred land along both sides of the Columbia River in Washington and Oregon states because they worshipped the very ground they walked on and lived on. This is where our ancestors, our parent, and our children are buried today. Also, we have many people buried in the mountains of both Washington and Oregon states where our people travel every year to gather foods.

We own land along both sides of the Columbia River which are held in trust status and under the jurisdiction of the Bureau of Indian Affairs, Portland Area Office. It is our wishes to retain ownership, forever, of our land interests for the benefit of our children. We know that we obtained these lands by Congressional Orders and Acts through the efforts of our Chiefs and the Honorable men of the local, state, and federal government. We also know and believe that the unwritten treaties and the agreements made by the gesture of handshakes between our past Chiefs and the officials of the local, state and federal government are the law of this land and should be honored by all forever.

On behalf of my people, along both sides of the Columbia River, I am opposed to any further development along both sides of the Columbia River. There has been enough destruction of this land and river for the sake of the Almightly-dollar and progress from which my people have suffered. Let my land rest and remain as it is: it has contributed enough to benefit only my non-Indian neighbors, while my people.and children live in poverty, homeless, poor health, and disadvantaged, and who have chosen to remain along the Columbia River as long as our Creator chooses, or, until the end of time.

Further, I ask that local, state, and the federal government allow my people to remain where they live along both sides of the Columbia River and to stop any attempts to have my people evicted or removed from their homes.

This is all I have to say at this time.

Respectfully,

Chief Frederick Ike Sr.

Chief Frederick Ike, Sr.

Senator Evans. Thank you, very much.

Mr. Jim. Senator?

Senator Evans. Yes, Mr. Jim?

Mr. Jim. I'd like to make a couple of introductions. As representatives delegated to attend this, I'd like to introduce, as we, too, have chiefs, the Confederated Tribes of Warm Springs have delegated two of our chiefs to come down and witness, and at this time I want to introduce Mr. Delvis Heath of the Warm Springs Confederated Tribes, here with us, also; and also the chief of the Wascos, Mr. Nelson Wallulatum, who I'm sure a lot of you have heard of and met before.

He's also willing at any time if possible to say a few things that he has on his mind, as this is within our ceded area, the gorge area, on the Oregon side. We also have John Platt from the Columbia River Intertribal Fish Commission in attendance here, also.

Senator Evans. Thank you, very much. I know that there will be additional opportunities, as I've said before, before we ever get very far along on proposed legislation. We are delighted to add any additional written testimony, whether from those who have testified or from those who haven't testified personally.

Mr. Jim,. in the testimony you gave and I think in the testimony, also, of Mr. Smith you emphasized the need to protect the tributaries of the Columbia. Many of those flow through the area that's being considered as part of the Columbia Gorge legislation. I would guess that in most cases those tributaries go far beyond any protected area that's being considered by the legislation. Are you suggesting that we ought to either expand the boundaries of any legislation, if any is to come, or just to have some special protection applied to the tributaries and watersheds?

Mr. Jim. One of the things that you're talking about is the scenic river type of river application. I have here a public notice of application for permit as an example, Cascade Locks Co. applied for a permit for the realignment of Herman Creek right into the Columbia and dredging of a new barge access channel. That's part of the type of applications that are coming through and that have great effects on the tributaries and the waters of the Columbia. It has effects on the spawning beds and also the habitat for the upward and downward journeys of the salmon and steelhead.

Senator EVENS. In essence, the concern is just to find whatever prcatical and effective ways we can ensure the viability of those tributaries for fish protection and fish enhancement, that's really what we're seeking.

Mr. JIM. We do have some comments on the Columbia River Inter-Tribal based on the Hood River basin, and if the commission would like to have a copy, we will make it available, comments of the Columbia River Inter-Tribal Fish Commission regarding the proposed hydropower development in the Hood River basin of Oregon. I do have that handy if you would like to have copies of that.

Senator. EVANS. I think that would be helpful to have, yes.

In addition to concern over the fish resource, are there areas within the proposed gorge boundaries that represent sites of particlar cultural significance which also should require special attention?

Mr. JIM. We do have some. These are in the lieu sites that were set up, that was mentioned in testimony, the in lieu sites that was part of compensation for the Bonneville inundation, and also of the dams; the in lieu sites for the people to set up and erect temporary drying and shelter for them while they were doing the fishing. Also, as was mentioned by Chief Freddie Ike, there are areas such as Memaloose Island, cemeteries that have been dug up further up the river, but in the gorge area there are cemeteries which are of our people and, if known, they would be desecrated like Memaloose Island. There are areas I'm sure our people would identify, but they're not made public. People seem to think they learn a lot about Indians. Instead of asking us, we could tell them, they think the bones can tell them.

Senator. EVANS. How about archeological sites, are there any of those along the river, or similar kinds of places, either artistic or archeological?

Mr. JIM. There are many archeological sites that have been designated, especially on the Washington side. The Yakimas have an archeological man that's been doing surveys, plotting and marking these sites for the benefit of the tribes and protection through their tribal programs. The archeological sites, legendary sites, sacred areas, food-gathering areas are all being determined in this. I'm sure they, if they were asked, would come up with a written proposal or any recommedations that you would want.

Senator EVANS. All right, fine. I think as we go along that's something we want to keep very carefully in mind. If legislation is to be considered, we must have access to those kinds of sites so that we can have——

Mr. JIM. That's what we're saying, that we should have representation in all phases, and that we can make available any resource we have, any tribes or any local resource of our people living here or on reservation. We are available and willing to work as long as we have to because of the ceded area and the treaty rights are secured by us.

Senator EVANS. All right, fine. Thank you, very much.

It is now 12:33. We will recess now and return as close to 12:50 as possible. That's even less than 20 minutes, but that's when we'll come back with the first panel, as close to 12:50 as we can make it.

Please, could you wait for just a second until we get some things out of the way here? Then I will recess the hearing.

The first panel back after lunch will be the timber industry panel. It will be Lee Robinson of Longview Fiber; Jack Brown of Crown Zellerbach; Stu Bledsoe representing the Washington Forest Protection Association; and Bob Chamberlain from SDS Lumber Co.

We will now stand in recess and be back at 12:50.

[Recess taken.]

AFTERNOON SESSION

Senator EVANS. The hearing will now resume.

A couple of comments before we get into the next panel. We will try to keep as close as we can to the 3-minute rule. We still have an awfully long way to go. A number of people who signed up to testify earlier have submitted their written testimony and indicated that that would substitute for their appearance. I think they felt a good deal of what they wanted to say has been said this morning and they do want to add their views through written testimony. I certainly would suggest that if others feel they can do that, it would be helpful. I don't want to prevent anyone from testifying, but we simply have to find some way to get through a very large number of people.

It is the written testimony which ultimately will be the base from which we work. It's obvious that no other Senator will have the privilege I've had of being here, and they will have to depend on the written record for the development of any ideas and legislation we're going to carry out.

So, with that let's turn directly to the timber industry panel. If I can get down to ground zero here—here we go. Lee Robinson from Longview Fibre.

STATEMENT OF LEE ROBINSON, VICE PRESIDENT, TIMBER OPERATIONS, LONGVIEW FIBRE CO.

Mr. ROBINSON. Thank you, Senator.

My name is Lee Robinson. I'm vice president of timber operations for Longview Fibre Co. We have submitted a paper. I'll highlight some of the points which we'd like to emphasize relating to this presentation.

This panel speaks primarily for a coalition of small, medium, and large forest land owners in the gorge, but the position we articulate has the support of the Forest Industry's Council, the Associated Oregon Industries, Washington Forest Protection Association, and Associated Washington Businesses. This issue is coming before many of the regional areas outside of the Pacific Northwest, and will be considered by the National Forest Products Association in the near future.

The Columbia River Gorge is not a roadless, pristine wilderness. It is a blend of a river, geological formations, plant and animal life, all mixed with the history of transportation, commerce, industry, and energy. In about 1825, Dr. John McLoughlin of the Hudson Bay Co. built the first sawmill on the Columbia River At Fort Vancouver, WA. By 1867, a small sawmill was operating at Eagle Creek, OR. In 1883, just a century ago, land was purchased near what is now the town of Camas, WA, for a pulp and paper mill operation of the Columbia River Paper Co. In 1905 that company combined with the Crown Paper Co., which later became the present-day Crown Zellerbach Corp. This happened 101 years ago. In 1905 the Bridal Veil Lumber Co. operated on the Oregon side. Today sawmills and wood processing plants are operating in Washington at Camas, Stevenson, Bingen, Washougal, Carson, Underwood, Klickitat, and White Salmon; in Oregon, at Bridal Veil, Cascade Locks, Hood River, and Parkdale. In all, some 25 mills—plywood, sawmills, pulp and paper plants—are located in and adjacent to the gorge area.

With the building of mills came the utilization of timber. The lower Columbia was developed first, but by the early 1900's the timber industry had penetrated well into the gorge. These were not all small operations. It is estimated that some mills produced as much as 300,000 to 500,000 board feet of lumber per day. This required logging large areas of forests. This logging, along with some early forest fires such as the Yacolt burn in 1902, has created a distribution of age classes in forests of the gorge which make it essentially a rotation forest; that is, one in which about one-sixtieth of the area will be cut each year. This flies in the face of claims by some that the industrial lands will be cut out in just a few years, leaving a devastated countryside. Young trees cannot be cut until they are mature. There are many young forests in the gorge areas.

About one-third of the forest land in the gorge area is privately owned. Most of the private, commercial forest land has been under management for many years. Most has been roaded, much has been logged, and most of that which has been logged has been reforested. Fire protection and intensive forest management practices are being conducted on the forest industy's lands, Much of the land within the proposed national scenic area is already dedicated to recreation and scenery.

Approximately 40,000 people live and work in the gorge. It is estimated that one-fourth of these folks are directly or indirectly dependent on the forest products industry within and adjacent to the gorge for their livelihood. It is further estimated that the direct payroll to the forest industry employees exceeds $100 million, with indirect payrolls totaling perhaps $79 million. A total of 17 towns lie within the boundaries of the proposed national scenic area.

Senator Evans, the health of the forest industry in the lower Columbia River area lies in the availability of reasonably priced timber near the mills. It should also be noted that even though the timber resource in the gorge has been utilized for nearly 150 years, the Columbia River Gorge is still today a beautiful area. If forest land owners are allowed to manage their forest properties under the States' forest practice acts, the scenic beauty and recreational resources can continue, and needed products and employment will be maintained.

Thank you, Senator.

[The prepared statement of Mr. Robinson follows:]

COLUMBIA RIVER GORGE
TESTIMONY BEFORE HEARING OF SENATOR EVANS
ON NOVEMBER 8, 1984

SENATOR EVANS, MEMBERS OF THE STAFF AND LADIES AND GENTLEMEN:

My name is Lee Robinson. I am Vice President of timber operations for Longview Fibre Company with corporate headquarters and a pulp and paper mill at Longview, Washington. We own and manage approximately one-half million acres of forestland in the States of Washington, Oregon and California.

This panel speaks primarily for a coalition of small, medium and large forestland owners in the Gorge, but the position we articulate has the support of the Oregon Forest Industries Council, Associated Oregon Industries, Washington Forest Protection Association and Associated Washington Business. I am a member of the Board of Governors of the National Forest Products Association. It is my intent to introduce this matter to that Association next week to get national support for the concerns we have about this precedent setting issue.

The Columbia River is not a roadless pristine wilderness. It is a blend of a majestic river, unique geological formations and a great diversity of plant and animal life all mixed with the history of transportation, commerce, industry and energy.

It is the mixture of the natural and the man-made that makes the Gorge unique. It is estimated that human beings lived in the Gorge at least 12,000 years ago. Man's impact and influence have increased ever since. In 1805 Lewis and Clark found a substantial population of American Indians living within the Gorge exploiting its resources of fish, game, fur, edible plants and timber. Forty years later the pioneer immigrants arrived introducing agriculture, commerce and the beginning of the great industry which now exists along the Columbia River and its tributary area.

Although the Indians and pioneers used timber extensively for their own purposes for homes, boats, tools and heat, the first commercial utilization of the forests occurred in about 1825 when Dr. John McLoughlin, a representative of the Hudson Bay Company, built the first sawmill on the Columbia River at Fort Vancouver, Washington. The lumber was used in connection with trading operations and in developing settlements along the lower Columbia River. By 1867 a small sawmill was operating at Eagle Creek, Oregon. In 1883, just a century ago, land was purchased near what is now the town of Camas, Washington for a pulp and paper mill operation of the Columbia River Paper Company. In 1905 that Company combined with the Crown Paper Company which later became the present day Crown Zellerbach Corporation.

As industry and commerce moved up the Columbia River, the Drano Flume Company in about 1910 started to build a water flume to serve a group of small sawmills. Broughton Logging Company bought out Drano, finished the flume and in 1913 diverted water from the Little White Salmon River into the flume to transport timber products from the Washington hills to the Columbia River. The flume still functions today, a testimony to the ingenuity of man in utilizing the resources of the earth. In 1905 the Bridal Veil Lumber Company operated on the Oregon side. Today sawmills and wood processing plants are operating in Washington at Camas, Stevenson, Bingen, Washougal, Carson, Underwood, Klickitat and White Salmon. In Oregon, plants are operated at Bridal Veil, Cascade Locks, Hood River and Parkdale. In all, some 25 sawmills, plywood and pulp and paper plants are located in or adjacent to the Gorge area.

In addition to the timber industry investment, there exists in the Gorge an exceptional transportation corridor. Barge traffic on the Columbia River links inland agricultural regions with Oregon and Washington ports. Two mainline railroads, an interstate highway and a major State highway traverse the length of the Gorge. Bonneville Dam and related power transmission lines serve a major function in supplying power for industry, commerce and the residents of the Pacific Northwest.

With the building of the mills came the utilization of the timber. The lower Columbia was developed first, but by the mid 1900's the timber industry had penetrated well into the Gorge. These were not all small operations. It is estimated that some mills produced as much as 300M to 500M board feet of lumber per day. This required logging large areas of forests. This logging, along with some early forest fires, such as the Yacolt Burn of 1902, has created a distribution of age classes in the forests of the Gorge which make it essentially a "rotation" forest, that is, one in which about 1/60th of the area will be cut each year. This flies in the face of claims by some that the industrial lands will be cut out in just a few years, leaving a devastated countryside. Young trees cannot be cut until they are mature. There are many young forests in the Gorge area.

About 70% of the Gorge area is forestland. The U. S. Forest Service and Washington Department of Natural Resources are the dominant public owners. About 1/3 of the forestland in the Gorge area is privately owned. Most of the private commercial forestland has been under management for many years, most has been roaded, much has been logged, and most that has been logged has been reforested. Fire protection and intensive forest management practices are being conducted on the forest industries' lands.

Much of the land within the proposed national scenic area is already dedicated to recreation and scenery. The Forest Service controls about 44,000 acres within the boundaries, much of which is designated as "Special Interest Zone". There are 27 State Parks on the Oregon side and 4 on the Washington side. Their acreage totals about 9,400 acres.

Approximately 40,000 people live and work in the Gorge. It is estimated that 1/4 of these folks are directly or indirectly dependent on the forest products industry within and adjacent to the Gorge for their livelihood. It is further estimated that the direct payroll to forest industry employees exceeds $100 million with indirect payrolls totalling about $79 million. A total of 17 towns lie within the boundaries of the proposed national scenic area.

Senator Evans, the health of the forest industry in the Lower Columbia River area lies in the availability of reasonably priced timber near the mills. It should also be noted that even though the timber resource in the Gorge has been utilized for nearly 150 years, the Columbia River Gorge is still today a beautiful area. If forestland owners are allowed to manage their forest properties under the States' forest practice acts, the scenic beauty and recreational resources can continue and needed products and employment will be maintained.

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Senator **Evans**. Thank you, very much, Mr. Robinson.

Mr. Jack Brown from Crown Zellerbach.

STATEMENT OF JACK R. BROWN, REGIONAL DIRECTOR, PUBLIC AFFAIRS AND COMMUNICATIONS, CROWN ZELLERBACH CORP.

Mr. **Brown**. Senator Evans, my name is Jack Brown, I reside in Portland and I'm regional director of public affairs and communications for Crown Zellerbach.

My company owns approximately 15,000 acreas of timberland in the Washington counties of Clark, Skamania, and Klickitat, some 7,000 acres of which are within the boundaries of the proposed national scenic area.

We employ over 2,000 people at our Camas, WA, pulp and paper mill at an annual payroll of $60 million. We have just completed a $425 million modernization program which will keep the mill competitive and secure the economic future of Camas. This large complex depends upon Columbia Gorge area sawmills and wood processing plants for up to 50 percent of its current wood chip and log supply from which pulp is made.

As a member of this coalition and this panel, I've been asked to comment briefly on three concepts that were included in legislation introduced in the last Congress. They are a single management entity for the gorge, the designation of critical and sensitive areas, and the use of eminent doman and other means of acquire private property.

A SINGLE MANAGEMENT ENTITY

We believe there is merit in establishing a single management entity for the gorge that recognizes its scenic and economic diversity, one that would provide a balanced partnership among Federal agencies, the two States, counties, local government, and landowners. But, let me emphasize this would be an entity where the Federal Government would not be dominant, where no Cabinet Secretary would be making local land use decisions, and where present State regulation of timberland management on private land is recognized.

Our coalition recognizes the desirability in any gorge management plan for precisely drawn critical and sensitive areas to protect unique, scenic, historical, and archeological areas, flora, and wildlife habitat. Many areas in the gorge already are protected by State and Federal agencies.

Critical and sensitive lands may be defined as those unimproved lands whose continued existence in a natural state is essential to protect the following: Unique or distinctive scenic features in the gorge; rare and nationally significant archeological sites eligible for National Register status under the Historic Sites Act; and threatened and endangered species listed by the Secretary of the Interior under the Endangered Species Act.

Now a word about the use of eminent domain. We believe the power of eminent domain is necessary to acquire those private lands designated critical and sensitive if those lands are not acquired through gift or exchange. We believe any legislation also should accommodate purchase, gift, or exchange as a means of acquiring private land, and obviously an agreement between a willing buyer and a willing seller is preferable.

A private landowner's ability to manage his or her property can be severely restricted from the moment a critical designation occurs or when private land becomes a candidate for designation. Without timely acquisition or settlement, an owner's property title becomes clouded and the tax obligation continues with little or no chance of return on investment.

We firmly believe that the intent of Congress in any Columbia Gorge legislation should be to recognize the compatibility of timber management with the diverse scenic qualities in the gorge. Where scenic preservation must take precedence over timber management on private property, the Congress has the responsibility to appropriate sufficient funds or assure other means to acquire that land.

Thank you for the opportunity to comment.

[The prepared statement of Mr. Brown follows:]

STATEMENT OF JACK R. BROWN
REGIONAL DIRECTOR, PUBLIC AFFAIRS AND COMMUNICATIONS
CROWN ZELLERBACH, PORTLAND, OREGON
BEFORE
SENATE ENERGY AND NATURAL RESOURCES COMMITTEE
RELATING TO
COLUMBIA RIVER GORGE
PROTECTION LEGISLATION

NOVEMBER 8, 1984
STEVENSON, WASHINGTON

SENATOR EVANS:

MY NAME IS JACK R. BROWN. I RESIDE IN PORTLAND AND AM REGIONAL DIRECTOR, PUBLIC AFFAIRS AND COMMUNICATIONS FOR CROWN ZELLERBACH.

MY COMPANY OWNS APPROXIMATELY 15,000 ACRES OF TIMBERLAND IN THE WASHINGTON COUNTIES OF CLARK, SKAMANIA AND KLICKITAT, SOME 7,000 ACRES OF WHICH ARE WITHIN THE BOUNDARIES OF THE PROPOSED NATIONAL SCENIC AREA.

WE EMPLOY OVER 2,000 PEOPLE AT OUR CAMAS, WASHINGTON PULP AND PAPER MILL AT AN ANNUAL PAYROLL OF $60 MILLION. WE HAVE JUST COMPLETED A $425 MILLION MODERNIZATION PROGRAM WHICH WILL KEEP THE MILL COMPETITIVE, AND SECURE THE ECONOMIC FUTURE OF CAMAS. THIS LARGE COMPLEX DEPENDS ON COLUMBIA GORGE AREA SAWMILLS AND WOOD PROCESSING PLANTS FOR UP TO 50 PERCENT OF ITS CURRENT WOOD CHIP AND LOG SUPPLY, FROM WHICH PULP IS MADE.

WE UTILIZE LOGS, TRIMMINGS AND WOOD RESIDUALS FROM THESE MILLS:

SDS LUMBER COMPANY, BINGEN, WASHINGTON AND CASCADE LOCKS, OREGON
BROUGHTON LUMBER COMPANY, WILLARD AND UNDERWOOD, WASHINGTON
HIGH CASCADE LUMBER, WASHOUGAL, WASHINGTON
STEVENSON CO-PLY, HOME VALLEY, WASHINGTON
HAMILTON BROTHERS, WASHOUGAL, WASHINGTON
WKO LUMBER, CARSON, WASHINGTON
HANEL LUMBER, ODELL, OREGON

MY COMPANY ALSO SELLS SAWLOGS FROM OUR FEE TIMBERLANDS AND PUBLIC TIMBER PURCHASES TO MOST OF THESE FIRMS.

AS A MEMBER OF THE COALITION OF SMALL AND LARGE FOREST PRODUCTS COMPANIES AND STATE AND NATIONAL FOREST PRODUCTS AND BUSINESS ASSOCIATIONS CONCERNED WITH COLUMBIA GORGE LEGISLATION, I HAVE BEEN ASKED TO COMMENT BRIEFLY ON THREE CONCEPTS THAT WERE INCLUDED IN LEGISLATION INTRODUCED IN THE LAST CONGRESS. THEY ARE:

1. A SINGLE MANAGEMENT ENTITY FOR THE GORGE;
2. THE DESIGNATION OF CRITICAL AND SENSITIVE AREAS; AND
3. THE USE OF EMINENT DOMAIN AND OTHER MEANS TO ACQUIRE PRIVATE PROPERTY.

1. A SINGLE MANAGEMENT ENTITY

WE BELIEVE THERE IS MERIT IN ESTABLISHING A SINGLE MANAGEMENT ENTITY FOR THE GORGE THAT RECOGNIZES ITS SCENIC AND ECONOMIC DIVERSITY: ONE THAT WOULD PROVIDE A BALANCED PARTNERSHIP AMONG FEDERAL AGENCIES, THE TWO STATES, COUNTIES, LOCAL GOVERNMENT AND LANDOWNERS. LET ME EMPHASIZE THAT THIS WOULD BE AN ENTITY WHERE THE FEDERAL GOVERNMENT WOULD NOT BE DOMINANT--WHERE NO CABINET SECRETARY WOULD BE MAKING LOCAL LAND USE DECISIONS, AND WHERE PRESENT STATE REGULATION OF TIMBERLAND MANAGEMENT ON PRIVATE LAND IS RECOGNIZED.

2. DESIGNATION OF CRITICAL AND SENSITIVE AREAS

OUR COALITION RECOGNIZES THE DESIRABILITY IN ANY GORGE MANAGEMENT PLAN FOR PRECISELY DRAWN CRITICAL AND SENSITIVE AREAS TO PROTECT UNIQUE SCENIC, HISTORICAL AND ARCHAEOLOGICAL AREAS, FLORA AND WILDLIFE HABITAT. MANY AREAS IN THE GORGE ALREADY ARE PROTECTED BY STATE AND FEDERAL AGENCIES--THE TEN WATERFALLS ON THE OREGON SIDE AND MEMALOOS ISLAND, JUST TO NAME A FEW.

CRITICAL AND SENSITIVE LANDS MAY BE DEFINED AS THOSE UNIMPROVED LANDS WHOSE CONTINUED EXISTENCE IN A NATURAL STATE IS ESSENTIAL TO PROTECT THE FOLLOWING:

A. UNIQUE OR DISTINCTIVE SCENIC FEATURES IN THE GORGE;

B. RARE AND NATIONALLY SIGNIFICANT ARCHAEOLOGICAL SITES ELIGIBLE FOR NATONAL REGISTER STATUS UNDER THE HISTORIC SITES ACT; AND

C. THREATENED AND ENDANGERED SPECIES LISTED BY THE SECRETARY OF INTERIOR UNDER THE ENDANGERED SPECIES ACT.

3. USE OF EMINENT DOMAIN AND OTHER MEANS TO ACQUIRE PRIVATE PROPERTY

WE BELIEVE THE POWER OF EMINENT DOMAIN IS NECESSARY TO ACQUIRE THOSE PRIVATE LANDS DESIGNATED CRITICAL AND SENSITIVE IF THOSE LANDS ARE NOT ACQUIRED THROUGH GIFT OR EXCHANGE.

THE NATURE CONSERVANCY PROVIDES AN EXCELLENT EXAMPLE OF HOW UNIQUE AREAS CAN BE IDENTIFIED AND PROTECTED. BASED ON MY COMPANY'S WORK WITH THE NATURE CONSERVANCY, THAT ORGANIZATION MAKES A SPECIAL EFFORT TO DETERMINE WHETHER OR NOT A UNIQUE SPECIES OF FLORA CAN BE FOUND ON PUBLIC LAND BEFORE LOOKING AT PRIVATE LAND. SECONDLY, NATURE CONSERVANCY DOES NOT TRY TO PROTECT MULTIPLE LOCATIONS WHERE A UNIQUE SPECIES IS LOCATED.

WE BELIEVE ANY LEGISLATION ALSO SHOULD ACCOMMODATE PURCHASE, GIFT OR EXCHANGE AS A MEANS OF ACQUIRING PRIVATE LAND. OBVIOUSLY, AN AGREEMENT BETWEEN A WILLING BUYER AND A WILLING SELLER IS PREFERABLE.

ONEONTA FALLS AND THE LAND SURROUNDING IT IN THE HEART OF THE GORGE WAS ONCE OWNED BY A PREDECESSOR COMPANY OF CROWN ZELLERBACH. WHEN THE DESIRABILITY OF PRESERVING THIS PARCEL BECAME APPARENT, THE PROPERTY WAS DEEDED TO THE STATE OF OREGON. TODAY, IT IS PRESERVED AS A BOTANICAL STUDY AREA ADMINISTERED BY THE U.S. FOREST SERVICE.

MY COMPANY ALSO OWNED TIMBERLAND ON LARCH MOUNTAIN, WHICH IS PART OF THE WATER SOURCE FOR MULTNOMAH FALLS. THIS TIMBERLAND WAS EXCHANGED WITH THE U.S. FOREST SERVICE FOR TIMBERLAND OUTSIDE THE GORGE AREA. WE HAVE ALSO EXCHANGED LAND WITH STATE AGENCIES.

A PRIVATE LANDOWNER'S ABILITY TO MANAGE HIS OR HER PROPERTY CAN BE SEVERELY RESTRICTED FROM THE MOMENT A CRITICAL DESIGNATION OCCURS, OR WHEN PRIVATE LAND BECOMES A CANDIDATE FOR DESIGNATION. WITHOUT TIMELY ACQUISITION OR SETTLEMENT, AN OWNER'S PROPERTY TITLE BECOMES CLOUDED AND THE TAX OBLIGATION CONTINUES WITH LITTLE OR NO CHANCE OF A RETURN ON INVESTMENT.

WE FIRMLY BELIEVE THAT THE INTENT OF CONGRESS IN ANY COLUMBIA GORGE LEGISLATION SHOULD BE TO RECOGNIZE THE COMPATIBILITY OF TIMBER MANAGEMENT WITH THE DIVERSE SCENIC QUALITIES IN THE GORGE. WHERE SCENIC PRESERVATION MUST TAKE PRECEDENCE OVER TIMBER MANAGEMENT ON PRIVATE PROPERTY, THE CONGRESS HAS THE RESPONSIBILITY TO APPROPRIATE SUFFICIENT FUNDS, OR ASSURE OTHER MEANS TO ACQUIRE THAT LAND.

THANK YOU FOR THE OPPORTUNITY TO SHARE OUR THOUGHTS AND OPINIONS WITH YOU.

Senator EVANS. Thank you.

Stu Bledsoe, Washington Forest Protection Association.

STATEMENT OF STU BLEDSOE, EXECUTIVE DIRECTOR, WASHINGTON FOREST PROTECTION ASSOCIATION

Mr. BLEDSOE. Good afternoon, Senator, I admire your stamina and appreciate your accommodation of this hearing.

I have fairly extensive written comments, but I'd like to dwell on four points: First, the long-term nature of our business; second, the existing regulations under which we now operate; third, some silvicultural realities; and, finally, respond to an issue you raised earlier, voluntary guidelines.

First, the nature of our business. I think if it is the wish of the 99th Congress to foster some legislation to deal with the gorge, I hope it's kept clearly in mind that even minor adjustments by regulations or statutes in the economic realities of our business can be disastrous because of the long-term nature of the farming, which we are now doing. We're no longer mining, Senator, we're farmers now. Front-end loading puts intolerable burdens on being able to operate a timber stand with any expectation of some profitability at the harvest period. Even minor regulatory adjustments under the guise of scenic quality or whatever else it might be can trigger the whole equation to where it means we are no longer operable. Certainly the scenic guidelines under which the Forest Service lands across the river are being maintained are totally outside the capability of anybody in the private sector to function under, simply because we cannot go back to the public funds for continued operating reserves. We're got to do it so the existing cash flow.

Second, the existing regulations under which we operate. Several of them have been mentioned by the previous testimony. Certainly the most comprehensive is the Washington State Forest Practices Act and its regulations, an act which if I remember correctly you signed. I left a copy with your staff of the regulations, which are recognized widely as one of the two most comprehensive and two of the toughest forest practices acts in the Nation. They deal with everything.

We deal with the Shorelines Management Act, the Hydraulics Act, both management acts, the State Environmental Policy Act, fire prevention, local land use regulations—there are 35 Federal and State statutes or regulatory compacts under which we now operate which designate how we shall perform. They provide standardization, for which I suppose we should be grateful, and they also provide a rather substantially cluttered operating scenario. But, they do not provide us with a set of rules which we understand and under which we seem to be able to operate, even with some hazard. If we had an overlay of vast regulatory addition with some major change in focus in the Columbia Gorge that could be extrapolated to other operations in our State, we're looking at the potential of, first, regulatory chaos, and, second, possibly economic disaster to an industry which is right now walking a tightrope.

Third, some silvicultural realities. I'm quite sure that during the course of the day testimony will be entered by people with great sincerity who would have us ban clearcutting. If we're going to maintain Douglas fir stands in the Columbia Gorge or anyplace else in our State, after our successive harvests in a stand, eventually the final harvest must be taken, and at that point it must be taken entirely. Call it what you like, a clearcut, so that we have then the exposed stand which is ready and capable of nuturing and raising a crop of Douglas fir seedlings in the aftermath. Anything short of that means we'll have invasion by week species and certainly a downgrading of the productivity of any site. So, clearcut ban means simply this: that we will no longer be conifer producers in the areas where those bans are mandated.

Call it what you like, but the factor of blowdown, if we are mandated—again, mandated across the board—that there will be, must be, leave strips for visual effect, when the harvest begins and the leave strips are left standing, those trees are not wind firm. With the roaring gales which periodically blow through this gorge, a weather anomaly but certainly recognizable and predictable, those trees are going to come down. They can come down in random form or they could be as much as a total loss. Even more important, if they come down around traveled roads we're looking at substantial human hazard. We've seen that instance apply in several other areas where leave strips were left along highways and we were sorry for it.

I'm sure we'll look at the factor of federally mandated, land use planning proscriptions. This is a socioeconomic reality which, were it to be a fact in case in this area, I think we're looking at breaking new ground at high social risk, and it's one I think you want to take a long look at.

Finally, voluntary guidelines. You mentioned this, sir, so I brought with me a sample appended to our testimony of some voluntary guidelines that are now in effect. Let me back up a little bit. In 1982 we were challenged about harvest activities along some scenic highways. And let's face it, at considerable internal hassle, we finally agreed on a set of working guidelines that deal very specifically with some things that deal with the kinds of things I think are being reached for here in the gorge; configuration of clearcuts, accelerated reforestation, visual buffer strips, siting of our landings, prompt debris cleanup. All of these were applicable and economically feasible.

Now, understand, sir, this is not a broad-brush treatment. It will not fit all sites. But, there are some instances where it's totally applicable and still workable within the economic structure and profitability sector where we have to operate.

Speaking against making these kinds of things broad-brush and mandatory, they also work where there is sufficient size of the operation to have options. If it were a small holder with a 5- or 10-acre plot, it might be exceedingly difficult to configure the borders of the clearcut, these kinds of things. But, where it is feasible and doable on an optional basis, I'd cite to you, sir, that these are currently in effect.

[The prepared statement of Mr. Bledsoe follows:]

WFPA

WASHINGTON FOREST PROTECTION ASSOCIATION • 711 CAPITOL WAY, EVERGREEN PLAZA BLDG., SUITE 608 • OLYMPIA, WA 98501 • (206) 352-1500

TESTIMONY
by
WASHINGTON FOREST PROTECTION ASSOCIATION
on
COLUMBIA RIVER GORGE
at
Town Meeting, Stevenson, Washington, November 8, 1984

Senator Evans, my name is Stu Bledsoe. I am the Executive Director for the Washington Forest Protection Association, a trade association of forest landowners, established in 1908, whose members own and manage slightly more than 5 million acres of commercial forestland in Washington State. Members of the association own and manage approximately 30,634 acres of commercial forestland within the proposed Columbia River Gorge scenic area boundaries in Washington, and also a number of major processing facilities. WFPA appreciates this gracious opportunity to testify before you on the Columbia River Gorge.

THE FOREST PRODUCTS INDUSTRY IN THE GORGE

Commercial forest management and wood processing are no strangers in the Columbia River Gorge and they are in fact a major component of the Gorge's historical heritage. The earliest white man activities of any significance in the Gorge centered around logging and lumber production. As early as the 1820's commercial lumber production was occurring in the Gorge. The majority of urban concentrations located in the Gorge were first initiated as early logging and milling camps.

Today, commercial forest management and wood processing continue to be a mainstay within the Gorge. Commercial forest management is not only a key economic component in the Gorge community, but the timber resource encompassed within the proposed scenic area also supports a number of processing facilities elsewhere. The industrial and public commercial forest land base which is included within the proposed "scenic area" has an estimated annual yield of 35.4 million board feet of timber. This figure does not include the smaller private ownerships in the Gorge which constitute two-thirds of the area's commercial forest land base. In total, there are some 25 sawmills, plywood, and pulp and paper plants located in Clark, Skamania and Klickitat counties — many located directly in the Gorge itself. These mills are dependent, in varying degrees, on the commercial forest base located within the proposed scenic area. Direct forest products industry employment in the Washington portion of the Columbia River Gorge is 3,200 individuals. When one takes into account the service and trades employment multiplier associated with these functions, the figure rises to 10,000 individuals and it becomes apparent that many of the Gorge's local communities are heavily dependent upon the area's forest products industry.

ANTICIPATED RESULTS OF FEDERAL INTERVENTION IN THE GORGE

Before commenting on the anticipated impact of the current federal proposals it is necessary to mention one key factor in the economics of commercial forestry — our very long investment period. The very nature of commercial forestry requires large front-end investments for site preparation, planting, and early stock maintenance with no return on the investment for many years to come. Average rotation lengths in this portion of the Northwest range between 60 and 70 years. The length of the production cycle does some very funny things in terms of management and investment decision-making which are peculiar to the timber industry. Amortization considerations become a big determinant. Management costs and taxes particularly in the early years of the rotation, are all important. In the Northwest, after discounting considerations, one is looking at between $100-$200 real return per acre on investment at the end of a 50-year investment cycle.

The industry's competitiveness is highly sensitive to regulatory and tax costs due to its long production time periods. A seemingly minor regulatory cost has the potential to completely destroy the economic viability of a timber management operation. This cost sensitivity is a major determinant in the forester's land use planning needs. What may seem to be a minor regulatory cost incurred for the provision of public benefit without compensation (i.e., recreation, aesthetics, open space, wildlife habitat), can literally make a timber operation economically indefensible when competing in an open international market.

WHEN VIEWED THROUGH THE LOOKING GLASS OF AN EXTENDED PRODUCTION TIME PERIOD, OUR SEEMING PREOCCUPATION WITH REGULATORY AND STATUTORY CHANGES IN MANAGEMENT PRACTICES BECOMES MORE UNDERSTANDABLE.

The forestry community recognizes and is committed to sound forest management practices which are biologically and environmentally responsible. Such a commitment simply makes good business sense. Because of forest management's high sensitivity to costs, however, it has always been imperative that such standards and regulations be thoughtfully developed and administered on a statewide basis for consistency purposes. Consistency is an important cost consideration for an industry which must operate and compete with itself, statewide and nationally.

At issue in the Columbia Gorge proposals is the initial decision of whether any of the existing components of the Gorge heritage are to be allowed to continue, i.e., the normal and expected commerce of the present residents of the Columbia Gorge. If agriculture, silviculture and traditional commerce are to be allowed to continue, even under special considerations, it must be pointed out that silviculture now is under a special set of regulations, which define rather specifically, many of its practices. The Forest Practices Acts of Oregon and Washington, now in effect with a very substantial body of regulations clearly defining all activities in the forest areas are widely regarded as among the most stringent in the United States today. The regulations deal specifically with mandated reforestation, road construction standards, water quality protection, herbicide application standards, wildlife preservation, and are buttressed by a permitting and inspection process operated by competent authorities in both states. It is our firm opinion that the historical activity of timberland management can be continued in the Columbia Gorge in the same tradition that it has been since the first settling by whitemen in the area under the regulations provided by the Forest Practices Acts of both states, without diminishing the established and special nature of this geographic site.

It should also be pointed out that forest management activities within both states are also subject to a significant number of other statutory requirements. In Washington State there are 46 separate statutes which apply to timberland management and activities associated with this function. These statutes ensure the reasonable management of the area's natural resources, while also providing for some standardization of these same requirements statewide.

The forest products industry has significant concerns regarding the current proposals due to their potential for rendering commercial forestry investments economically unjustifiable. The industry is currently under drastic reorganization due to a host of economic factors that currently threaten its continued existence in the Pacific Northwest in any magnitude approaching that which has historically been the case. There is a high degree of nervousness about the economic implications which are embedded in any series of mandated visual or aesthetic management practices. The current Forest Service "visual" management guidelines in effect on the Mt. Hood National Forest in the Oregon portion of the Gorge, are an economic anathema to any private landowner. No private timber company is in a position to accommodate the potential of year after year operating deficits by drawing on public resources as is the case with the U.S. Forest Service. Without that bail-out potential, a series of mandated aesthetic requirements means shut-down.

In short, additional restrictions over and above those under which we currently operate would threaten the already stressed economic viability of our operations. Many proposals, as best as we can ascertain, would most likely have significant adverse impacts on the forest products industry within the Gorge and in so doing would also impact area communities.

Washinigton's existing Forest Practices Act, Shorelines Management Act, Hydraulics Act, Land Use Planning Provisions, and other regulatory mechanisms could be relied upon to ensure good forest management practices. These mechanisms have been shown to be more than adequate with proper administration and enforcement. Potential regulations related exclusively to aesthetic factors could dramatically reduce site capabilities, and render effective and economically justified management an impossibility. The industry is sensitive to the short-term aesthetic impacts caused by timber harvesting in the Gorge, and is undertaking reasonable measures to minimize such impacts.

The industry is also not enamored with the notion of being forced to trade or sell our lands within the Gorge as many of the area mills are dependent on the fiber source. Any such discussion of land trades or purchase must, from our perspective, take these economic factors into consideration. Further, any such discussions should be fully resolved and funded as part of any legislative package in order to avoid the recurring hardships which have been created in previous federal initiatives of this type.

It is recommended that the timber management heritage of the Gorge be promoted with the assistance and cooperation of the timber interests — interpreting previous practices and displaying current technologies. The Gorge's heritage is that of a transportation corridor, a corridor of extensive human activity and resource management. Rather than deny such a heritage, we would urge the acknowledgement and emphasis of said heritage. Timber management has coexisted in the Gorge since the early 1800's and is practiced today in a manner which is more compatible than ever.

The Washington Forest Protection Association recognizes the complexity of issues presented by the socio-economic and physical environment of the Columbia River Gorge. The reality of the "Gorge" is that of a geographic corridor of great past and present significance to human activity. It is a place of significance for both human and natural heritage. WFPA and its individual commercial forest landowner members applaud the Northwest Delegation's efforts to recognize and balance the "on-ground" reality of today's gorge.

Although we do not believe in the necessity or appropriateness of federal land use legislation in the Columbia River Gorge, we do believe that the Northwest Delegation Columbia River Gorge bill (HR-3853), generally recognizes and seeks to accommodate the realities of a "Gorge" of significant long-standing human activity and development. It is our sincere hope that the delegation will continue in its approach of balance and accommodation in the coming months, as the legislation matures for potential adoption. Without such real recognition and accommodation, our previous experience has taught us that continued existence and the existence of those communities in the Gorge which are dependent upon the forest products industry could be in serious jeopardy.

The forest products industry is a responsible and sensitive citizen in the Columbia River Gorge. We have and will continue to strive to balance our obligations and responsibilities to the economic, environmental, and aesthetic well being of the Gorge.

Testimony will undoubtedly be entered by advocates of a series of mandated aesthetic management requirements which fly in the face of the natural growing or socio-economic conditions which exist in the Gorge. Let me list a few of them:

CLEARCUT BANS - Even with selected harvesting, the final harvest from any particular site with a native species of Douglas fir dictates that at some point the final stand be harvested on a clearcut basis. This permits reforestation [as mandated by the Forest Practices Act] to take place. Conceding the fact that for a short period of time there will be an opening in the forest canopy, accelerated reforestation can insure the replacement of the removed final stand with a vigorous green canopy in the shortest possible time. Without the opportunity to take the final harvest in a clearcut form, conifer reforestation is impossible in an area that is shaded with even a handful of remaining trees.

BLOWDOWN - The Columbia Gorge is recognized as one of the more windy areas in the United States. This means that narrow "leave-strips", retained purely for aesthetic reasons, stand a high probability of being blown down in the gale force winds which periodically sweep the Gorge. For this reason, as with the above, mandated leave-strips constitute not only an operational hazard but also a paper illusion. The unsheltered trees can be counted upon to go down and if the leave-strips are adjacent to traveled roads present a high liability of personal injury.

FEDERALLY MANDATED LAND USE PLANNING PROSCRIPTIONS - The specter of a federally dominated commission executing land use planning mandates on private lands in the State of Washington breaks new ground. The socio-economic controversy surrounding this new concept could be one of the most divisive issues introduced into this or any other state in recent years.

I would like to point out that there already exists some operational guidelines within the industry which are being applied on a voluntary basis in areas that are now considered critical and sensitive at present. I'm referring to a series of roadside harvest guidelines which were adopted and circulated in 1982 within our industry. We recognized that there was the possibility of optimizing silvicultural productivity practices that could reduce the aesthetic impacts of some clearcuts alongside major public highways without substantially affecting forest productivity operating costs or property values. Our industry promulgated this series of roadside harvest guidelines which have been widely circulated within the industry. We are currently applying these management practices on a voluntary basis and would suggest them as a starting point for voluntary management options within some of the sensitive areas within the Columbia Gorge. They deal with configuration, accelerated reforestation, visual buffer strips, siting of landings, prompt debris cleanup, all of these where applicable and economically feasible. I'm appending a complete copy of the Washington Forest Protection Association position for the information of the committee. Depending on sites, some of these will be applicable. In other sites more or conceivably all of them would be applicable. To have them embedded in statute or regulation however presents a mandating which could in other sites pose an intolerable economic burden. In otherwords, a simple broad-brushed mandate that all of these be applied in every instance does indeed pose an economic threshold that could in the long-run prove to be disastrous. If however, there is a capability for negotiating with some regulatory body established in the Gorge, a series of site specific accommodations that can be implemented on a voluntary basis, and accommodated under the existing Forest Practices Acts of the two states, there is a capability of recognizing the unique potential inherent in the Columbia Gorge.

(Draft 10 as adopted
with the amendments included
which were proposed at the November 2 meeting)

Washington Forest Protection Association

Position On

ROADSIDE HARVESTING UNDER EVEN-AGED MANAGEMENT

Introduction

WFPA believes intensification of forest management to increase Washington's timber growth and wood supply is in the public interest from the standpoints of providing stability of employment and tax base, of meeting identified housing goals and increases in national need for wood, and in the long run to maintain aesthetic values. If these benefits are to be achieved, however, the public must recognize that due to the unique nature of producing continuous timber crops, it is impossible to eliminate all visual impacts and still practice good forestry.

Silvicultural Requirements

In many cases growing trees of the same age and species in tracts under even-age management is the best, and in some cases the only effective, biologic and economic system for renewing most of the commercial softwood forests of the Pacific Northwest.

Clearcutting all trees is an essential aspect of even-age management. It utilizes the maximum amount of merchantable wood, prepares the harvest site for rapid and complete reforestation, and provides sunlight for shade intolerant tree species like Douglas fir.

Cultural practices which stimulate growth of new, even-aged timber crops can be applied with minimum costs and maximum efficiency on clearcut acreages. Some practices that contribute significantly to increased forest productivity cannot economically or physically be applied under management systems that do not use clearcutting.

Private Property Rights

WFPA believes private commercial forest land should be retained in private ownership. Where scenic protection measures are clearly required in the public interest, the landowner should receive full compensation for reduction in value of his lands or forest crops. This compensation must be in one or more of the following forms as desired by the landowner:

A. Exchanging for property of comparable value, or

B. Selling "in fee" whatever property is necessary for protection of public interests, while reserving access to the remaining ownership, or

C. Selling scenic easements such as those authorized under the Scenic Highways Act.

Regulatory Requirements

WFPA endorses prompt compliance with existing forestry regulations. Many laws, regulations and government policies are in effect which, although adopted primarily for other reasons, help to reduce aesthetic impacts of forest management practices along public highways. Among others, landowners must comply with these requirements:

1. Obtain county curb cutting or encroachment permits or state highway roadway permits at connections of forest roads to public roads. (RCW 47.32.150)

2. Design harvest areas so that any trees remaining adjacent to a highway do not endanger public safety during severe windstorms. (State highway policy)

3. Activities within 200 feet of the high water mark of streams of statewide significance (salt water, major lakes and rivers) must comply with provisions of the Shorelines Management Act. (RCW 90.58.150)

4. Fell snags to reduce fire and safety risks as specified by RCW 76.04.222.

5. Yarding restrictions in or across Type 1, 2 or flowing Type 3 waters (WAC 222-30-060 and 070).

6. Forest practice regulations requiring post-harvest site preparation, which may include cutting and slashing of noncommercial trees and treating the slash to leave the site in a condition suitable for reforestation following clearcut harvesting. (WAC 222-30-090)

7. Conduct slash abatement within 100 feet of public roads and within 200-500 feet of concentrated public use areas in compliance with the law relating to extreme fire hazard. (RCW 76.04.370)

8. Reforest clearcut harvested areas within three years with at least 300 well-distributed, vigorous seedlings per acre of commercial tree species west of the Cascade summit or 150 seedlings per acre east of the summit. (WAC 222-34-010, and 020)

9. Prevent logging debris and mud from being deposited on public road surfaces at access roadway entry points. (County ordinances and RCW 47.32.150)

WFPA Roadside Harvest Guidelines

WFPA opposes the concept of imposing controls on private forest land management for purely aesthetic purposes through any kind of regulatory process. However, for forest types where optimum silvicultural productivity is best achieved by even-aged management with clearcutting, voluntary guidelines described below can generally be applied in adapted situations to reduce aesthetic impacts of clearcuts alongside major public highways without substantial adverse effects on forest productivity, operating costs, or property values. Appropriate application of any or all of these guidelines is a decision by each individual land owner.

1. Consider public concerns before the harvest operation begins, including configuration and exposure of the harvest area and timing of the operation.

2. Where seedlings and immature or non-commercial trees occur adjacent to the highway right-of-way, plan the operation to protect and retain this vegetation until the new forest crop is visible from the highway.

3. At highway entry points, carefully locate and construct forest access roads with particular emphasis on aesthetics, drainage, and minimum excavation with special concern for safety.

4. Locate landings back from the highway, and yard timber away from the highway, to the extent that topography, forest practice regulations and related stream classifications permit.

5. Keep roadside frontage openings to as short a distance as operationally feasible. Design irregular harvest area boundaries fitted to the terrain where the ownership pattern permits.

6. Adjacent to the highway, maximize utilization of raw material, including a special emphasis on low stumps and extra cleanup of log landings and of the harvest area. This can accelerate reforestation following the harvest and minimize visual impacts from the highway.

7. Give special attention to minimizing debris and slash immediately adjacent to the highway.

8. Reforest clearcut harvested areas as soon as feasible after timber harvest and site preparation. Utilize technically sound procedures to insure successful reforestation and rapid growth.

9. Where land ownership and circumstances permit flexibility, manage the area adjacent to highways to get reforestation well established on initial clearcuts before adjacent timber is harvested.

10. On level or gentle topography, some land owners may elect to harvest a narrow strip of timber along a highway, then plant the area immediately to large seedlings. When these trees become tall enough to serve as a screen, timber harvesting behind this roadside strip will have relatively low visual impact from the highway. Landowners may choose to apply similar procedures along rights of way of future highway locations or realignments if state or county engineers supply information sufficiently in advance of construction.

11. Where appropriate and permitted, establish interpretive signs to provide the public with information about the area. Healthy young forests provide aesthetically pleasing landscape. Emphasize communicating the forestry plan for highway management zones to interested groups and key individuals. Adequate communication of a good plan is essential to achieve understanding and reduce possible controversy.

Conclusion

The most difficult goal for land owners and foresters to accomodate is protection of aesthetic values for the few years immediately following harvest. Even when the land manager realizes an area has heavy public exposure, deciding on management techniques that minimize visual impact is difficult. A number of the above guidelines have proven effective in specific instances. Some may be applicable, depending on specific site conditions, the multiple-use options for private forest lands, and other criteria. There is no single cook-book solution that works across-the-board.

WFPA Roadside Harvest ~~Procedures~~ Guidelines

WFPA opposes the concept of imposing controls on private forest land management for purely aesthetic purposes through any kind of regulatory process. However, for forest types where optimum silvicultural productivity is best achieved by even-aged management with clearcutting, ~~WFPA has observed a number of procedures~~ voluntary guidelines described below ~~which some private forest land owners have~~ can generally be applied in adapted situations to reduce aesthetic impacts of clearcuts alongside major public highways without substantial adverse effects on forest productivity, operating costs, or property values. ~~However, the final decision as to~~ Appropriate application of any or all of these ~~procedures~~ guidelines is a decision by each individual land owner.

Senator EVANS. OK.
Bob Chamberlain, SDS Lumber.

STATEMENT OF BOB CHAMBERLAIN, FORESTER, SDS LUMBER CO.

Mr. CHAMBERLAIN. Thank you, Senator Evans.

My name is Bob Chamberlain. I am the forester for the SDS Lumber Co., a privately owned timber company that was started after World War II in Bingen, WA. I have been their forester for over 28 years. We have plants in Bingen and Cascade Locks, OR, and manufacture plywood, lumber, and pulp chips. We employ about 300 people, more when the market is better. Our supply of logs comes from Federal, State, and private ownerships within a 70-mile radius of these gorge plants.

We have been managing our forest lands in the gorge for many years. We have removed large, old trees left from the original harvest, thinned the young stands, converted hardwood stands to conifers, clearcut mature timber, and planted young trees that are compatible to the harsh ice storms and winds we experience in the gorge. Roads are already established in our and other forest ownerships to continue this careful management. The forest practices have been in compliance with the Oregon and Washington Forest Practices Acts and their Shoreline Management Acts. In addition, we incorporate the forest management guidelines established by technical committees of the gorge commissions in our harvest activities. We hope we will be able to continue this cooperative effort for managing our gorge properties which are 15 percent of our forest lands and one-quarter to one-third of our timber volumes for a long period of time.

Our distribution of age classes together with other private and public owners spans many generations and requires long-term management to bring young trees to a harvestable age. Because of this range in age classes and ownerships, there is little chance of harvesting activities that would appreciably change the forested character of the gorge.

A large part of our log supply and that of our competitors' is the public forests tributary to the Columbia River. As a result of the recently enacted wilderness acts in Oregon and Washington, 184,000 acres of commercial forest land has been withdrawn from timber production. In addition, 70,000 acres of commercial forest land was placed in a Mount St. Helens National Volcanic Monument. These withdrawals tributary to us total a 49,000,000-board-foot-per-year reduction in these two forests' annual cut. This would supply a mill complex nearly twice our size. It's 12 percent of all the capacity of all the mills in the gorge area.

In addition, minimum wildlife management requirements of these forests could result in a total timber yield reduction of a volume equal to these wilderness and monument withdrawals.

These withdrawals and other curtailments, which include partial taking and exchanges, contribute to our rapidly-declining timber base which, in turn, forces higher raw material costs due to scarcity and longer hauls.

To survive in low markets and higher costs, we need all of our timber base. To provide jobs to the families that live and work in the gorge and a tax base for their public services, we need to count on the continued log supply from our lands and from those sources, both private and public, who raise and harvest trees in the gorge.

Thank you.

Senator EVANS. Thank you.

How about the interrelationship? There's been several mentions here of the varying age classes, and the fact that there is a steady but not enormous cut at any one time and the forests are always growing. You've got several management entities, however, that market timber. You've got the various private companies, the State and the Forest Service. I know that they don't specifically interrelate their cuts, but are there any anomalies in those three operations? Is there any of those management entities that has timber that tends to be in one age class as opposed to this broad grouping that you've mentioned?

Mr. ROBINSON. Generally speaking, Senator, the public agencies have the older timber. The private owners have younger plantations and tree farms.

Senator EVANS. If that's the case, are we going to have, then, the potential of faster cuts or broader clearcuts within a short period of time off Federal or State lands?

Mr. ROBINSON. I don't think so. They are governed by their own rules and regulations, and the Federal timber is cut on a very slow schedule. State timber is a little bit faster, but they still have constraints. I suppose the market really dictates the speed with which timber is cut. Even though we have a fairly steady stream, that stream will vary in response to market conditions.

Senator EVANS. Mr. Chamberlain, you mentioned that the wilderness withdrawals, from time to time effectively, if not directly, put certain areas outside of the timber harvest base. Currently, is there sufficient timber from various sources to supply what appears to be a future market? It seems to me there can be a significant difference between the allowable cut at any one time and the market that you could potentially or conceivably meet.

Mr. **Chamberlain**. Well, we would hope, Senator, to be on a more sustained economic base than the traumatic times we've gone through in the last several years that has really curtailed the activity in the forest industry. Normally, through the availability of raw material, or logs, from private, public, and stage agencies, we've been able to make a good distribution. I think many of the mills in the area have done the same. We don't look forward to any dominant activity in any one ownership that would change the character of the forests that we see today.

Senator **Evans**. Do you foresee in either the near or intermediate term future a time when the withdrawals which have occurred will really impinge on our markets? In other words, do you foresee a growth in markets sufficient to run up against the allowable cuts? What would it take to do that? Would we have to have a significant increase in current levels of production?

Mr. **Bledsoe**. Actually, if the maintenance of the harvest level at the Federal level were to be at its—well, call it what you like, at its ripening potential, I don't foresee a shortfall. At one point there we projected a shortfall because of again statewide or northwestwide projected shortfall in emerging timber from some of the private land-holdings. But, the downgrading in the last 4 or 5 years of our volume has changed that substantially. So, a shortfall in the immediate area, unless something for instance in the local area such as a withdrawal of great blocs of timber here in the gorge, would not change that. I think that areawide fiber flow is probably assured into the next decade and probably into the mid-2000's. By that time, who knows?

Senator **Evans**. From any of you, what about current requirements from the Washington Timber Act and the requirements laid on harvest from Federal timber? Is that, in your view sufficient currently to protect the watersheds for fishery production?

Mr. **Bledsoe**. Yes; we find that to be the case Senator. First we're mandated for leave strips, streamside management zones, alongside watersheds.

Senator **Evans**. Incidentally, are those leave strips subject to the same kinds of problems you mentioned for roadside strips?

Mr. **Bledsoe**. No; because they're usually wider, and the timber's more scattered and they're not as accessible from both sides. So, we haven't had as much as blowdown; some, but not as aggravated. And, if it does go down, it's still a leave strip so that we're not operating in there, anyway.

But, water quality maintenance, there's some new amendments to the Forest Practices Act which require environmental checkoff when you're working in a watershed. We find that the stringency of the Washington State Forest Practices Act, and also Oregon's is sufficient to provide working water quality. Now, does it provide pristine, unviolated, untouched water? It is no more affected, I suppose, than it is by recreation in the area, or flash flooding, or anything else. But we are en joined from doing things in water areas that are going to dramatically downgrade it.

We find, incidentally, that probably our greatest offense is created not by our logging activities, but rather by the roads we build. So, we are really working on an engineering basis to firm up the culverts, draining, and these kinds of things to mitigate that.

Senator **Evans**. Are those subject to more stringent standards now under the Forest Protective Act, the roadbeds?

Mr. **Bledsoe**. Yes; we're anticipating even more enforcement and we're participating in that. We accept the fact that more enforcement on site is probably going to be a healthy thing.

Senator **Evans**. What about small woodlots or the small timber holdings perhaps subject to people changing their nature, cutting but not replanting, what restrictions are there? What prevents someone from cutting once, taking the economic value of the logs and subdividing?

Mr. **Bledsoe**. They must make application before they cut, that if it is to be converted they have to go through the processing with the county and the forest practices regulating officials. There is no ban for that, however, there's no ban against that. I must be very candid and open with you on that. That is not enjoined by the nature of the Forest Practices Act itself. If, however, they are in transition zones, where they might be in an urban area where many of these small holdings are located, if there are zoning ordinances, land use plans and countywide ordinances in effect, that might have a purpose. That still, I would consider, could be doable within the county planning areas within the gorge itself.

Senator **Evans**. Have any of you who operate in this area had direct experience with the gorge overlay propositions that have been talked about? I guess Klickitat County on our side and several of the counties on the Oregon side have the overlays. I'm just curious whether you've had any occasion to have that affect, in any way, your timber operations.

Mr. **Chamberlain**. The uniqueness of Klickitat County is as you enter the county you fall away from the timbered areas, so their overlay is mostly on the open slopes and more the bare areas. So, we haven't been involved in that.

This question of the county problem is one where if we were subjected to that, I think we'd have difficulty maintaining a viable stand, Douglas fir stand.

Mr. **Robinson**. We have operated primarily outside the boundaries that exist today, Senator, but we have been responsive to the needs for the esthetics of the area. In many cases we've consulted the Commission people, had them on our sites, have modified our operations to accommodate some of the aesthetics. We'ver done that voluntarily, not imposed restrictions.

Senator **Evans**. I've noticed that's been a repetitive statement: Aesthetic guidelines within the gorge area might be appropriate if they're voluntary. The actions of the whole Timber Act in the States aren't voluntary. There are certain standards set for certain circumstances. Why would this be different? If there are certain special circumstances here and certain requirements, why shouldn't they be mandated?

Mr. **Brown**. It's our opinion, Senator, that if you're going to regulate for scenic purposes, that you ought to take the property. We believe that there are opportunities to designate scenic areas, and if that's the case, then we'd just prefer to get out of that property and have it taken. Crown Zellerbach has a 135-acre site right in back of Beacon Rock. There's been a preliminary designation that that's unique. It's a 35-year-old, mixed, stand of trees. We're not going to touch it until there's a permanent designation. But, we're still paying taxes on it and we'd just like to have people go ahead and take it.

Senator EVANS. Even if in some cases that would allow a timber cut, but a timber cut under certain restricted circumstances, you'd prefer that it be taken in toto, and then perhaps turn around and offer it up to somebody else with the restrictions on them?

Mr. BROWN. There's opportunities for exchange, there's opportunities for resale.

Mr. BLEDSOE. With the precarious economic balance that exists now, where it's almost a marginal business, any jiggering at all about the harvest proscriptions, mandated leaves, these kinds of things, could make it totally uneconomic. So, in effect, if the potential for operational solvency is clouded, then the whole thing is clouded, at which point there should be a taking.

One more thing that was mentioned earlier today. At some reasonable time, some time certain the taking should be accomplished. Otherwise, the designation changes. Otherwise, they hang in limbo as the millions of acres you cite already, sir, out there under cloud and not moving.

Senator EVANS. What about land exchanges? That's been mentioned as one possibility in this whole question of taking. What would the industry feel about land exchanges that might occur outside the Gifford Pinchot Forest? In other words, if land exchanges weren't right within this same working area, is that an impractical kind of exchange?

Mr. BLEDSOE. It depends on who you ask. He would say no. [Indicating Mr. Chamberlain.]

Senator EVANS. Yes.

Mr. BLEDSOE. He would probably say yes. [Indicating Mr. Robinson.] It depends on what their operations are as far as being dependent on an adjacent fiber supply to maintain an operation. SDS obviously cannot reach out as far. Longview, with mill sites located other places, and also with a different fiber need, you could possibly accommodate them. Is that not right, sir? Trade-outs outside the area?

Mr. ROBINSON. Years ago our company owned part of the water source to Multnomah Falls on Larch Mountain. We traded out of that land for land outside the gorge area with the U.S. Forest Service. We've had occasion to deed property on which Oneonta Gorge was located. That was deeded earlier to the State of Oregon and is now managed as a biological study area by the U.S. Forest Service. These are just some examples of the kinds of transactions that have taken place earlier, and I think the representative of the Department of Natural Resources had indicated their interest in looking for some exchange of land.

But, I guess in terms of the gorge and the mills that operate here, if you finish exchanging, and you've exchanged all the private land, and the remaining land is subject to scenic management by the Forest Service, you're not going to see very many trees cut.

Senator **Evans**. What about the assertion I hear from some environmental groups that a commercial forestland base within this sort of proposed protected zone of the Columbia Gorge is really unnecessary to maintain the economic viability of lumber mills because most of the timber comes from outside that area, that it really isn't a very large share of the land base?

Mr. **Chamberlain**. Well, I suppose it would affect us as much as anybody. We don't get all our supply from any one place for any one year. The cumulative effect of withdrawals isn't a cumulative effect. It forces us to go further. It forces us to buy perhaps trees or logs that are on a stand, stumpage, that we may not best be able to process. I think that this reason is given for every withdrawal that you don't need it, and it all ends up that you need that 5 pints of blood in you to keep alive.

Mr. **Brown**. I mentioned earlier that our Camas mill gets a lot of its chips, up to 50 percent of its wood chips, from Columbia Gorge area mills. Now, we also buy chips from mills outside the area. Some of those mills have shut down. To the extent that additional mills are restricted or have to go farther for their wood supply, we're going to continue to operate our mill, but we will be less competitive with mills outside the region and we will simply have to pay more for our wood fiber.

Senator **Evans**. Mr. Brown, you mentioned in your statement, as I remember, the desire for a single management entity. Do you have any suggestions as to what the nature of that single management entity ought to be?

Mr. **Brown**. A good starting place would be to go back to the Wyden bill and the amendments to S. 627 that were offered by Senator Gorton. I think that's a good place to start.

Senator **Evans**. OK. I guess that's it. Thank you, very much.

Next up is panel No. 1, down below, on environmental organizations. Next will be a business community panel, Rudy Hegewald, Pearl Neely, Paul McHugh, Jim Joseph, Broughton Bishop, Don Bashers, Rita Sawyer, and Barbara Bailey.

Let's start this panel with Bruce Apple representing the National Wildlife Federation.

STATEMENT OF BRUCE APPLE, PACIFIC NORTHWEST REGIONAL EXECUTIVE, NATIONAL WILDLIFE FEDERATION

Mr. **Apple**. Senator, my name is Bruce Apple and I'm here this morning representing the National Wildlife Federation. In order to try to move this along, I will refrain from reading my entire statement and quickly try to paraphrase where the Federation is coming from this morning.

Senator **Evans**. Good. That would be very helpful.

Mr. **Apple**. The bottom line being that in 1982, at our national meeting, our representatives of our 4 million-plus members voted unanimously to adopt a resolution supporating the National Scenic Area concept for protection of the Columbia River Gorge. Even more important I think to you, sir, is why that committee made that decision.

Although we discussed everything from recreation, scenic values, local versus Federal control, the whole gamut of ideas, what eventually this committee made its mind up over was the tremendous resource values that they found were evident in the gorge. The extreme diversity of fish and wildlife habitats in one reasonably small area impressed them greatly.

Once this committee was presented with information regarding possible impacts and ongoing impacts to those unique resources, everything from hydropower, gravel mining, clearcut logging, grazing and residential development; it is on those threats that this committee felt like a national scenic area was necessary.

Our members are fairly known for their conservative nature. They don't go out of their way to restrict individual rights and privileges without an overwhelming reason. The committee considered the local versus Federal control, but at the same time they believe that this Columbia Gorge is one of those areas which is just too important to leave to hit-and-miss local zoning. They believe that a national scenic area with a strong Federal presence is necessary to protect the Columbia Gorge.

Thank you.

[The prepared statement of Mr. Apple follows:]

NATIONAL WILDLIFE FEDERATION
Suite 708 Dekum Building 519 S W Third Avenue Portland, Oregon 97204
503-222-1429

TESTIMONY OF BRUCE APPLE
PACIFIC NORTHWEST REGIONAL EXECUTIVE

November 8, 1984

Good Morning.

My name is Bruce Apple, and I am here this morning representing the National Wildlife Federation.

In a recent annual meeting, representatives from the 4.2 million members and supporters of the National Wildlife Federation unanimously adopted a resolution supporting the National Scenic Area concept for protection of the Columbia River Gorge.

As the issue was discussed in committee, it became obvious that Federation representatives were concerned with more than the issue of fantastic scenery. As staff biologists presented specific information, the committee was impressed with the unique diversity of fish and wildlife found in the Gorge.

As we discussed the various options that might be employed to ensure protection for the area, the committee concluded that the most urgent need is for the identification and interim protection for critical fish and wildlife habitats. Paramount among these critical lands was protection of Columbia River tributaries. I will limit my remarks today to that issue.

Senator, through your work with the Power Council, you know the tremendous job that lies ahead of us in restoring the historic steelhead and salmon runs to the Columbia system. Some progress has been achieved recently, and with this year's tremendous steelhead runs, there is reason for hope. But none of our production efforts will be successful if we fail to restore and then protect the system's tributaries. Of the approximately two dozen major producing rivers and streams in the proposed scenic area only a handful can be considered "safe" from development. The potential for impacts through construction of hydroelectric facilities on the White Salmon, Little White Salmon, Wind, Hood and Deschutes Rivers is an ever-increasing factor. Should the present energy surplus be reduced, literally dozens of new dams could go within the Gorge. Although many have recognized the threat from dams, fewer realize the ever present problems with residential development and its associated sewage, street runoff, and filling of wetlands. If you consider the other factors such as gravel mining, clearcut logging, grazing, and general illegal fishing and hunting associated with large populations in a fish and wildlife area you cannot help but understand that more is needed here than local hit and miss zoning restrictions.

Our members are known for their conservative nature and are rarely inclined to accept control of individual rights and privileges without overwhelming reason. The Federation at the end of its debate realized that the Columbia Gorge is one of those areas that is more than just Skamania or Hood Counties, but is indeed a national treasure. It deserves to be protected, and we at the NWF will join with others of like mind and do whatever is necessary to save this magnificent Gorge for generations to come.

TESTIMONY OF BRUCE APPLE
NATIONAL WILDLIFE FEDERATION
November 8, 1984

Senator EVANS. Thank you, very much.

Anne Bringloe from the Sierra Club.

STATEMENT OF ANNE BRINGLOE, NORTHWEST REGIONAL VICE PRESIDENT, SIERRA CLUB

Ms. BRINGLOE. Thank you, Senator Evans.

I am Anne Bringloe, northwest regional vice president of the Sierra Club. The Sierra Club comes to this hearing today to once again ask for legislation to protect the Columbia Gorge, a national treasure which is slowly being lost from us, largely because of various forms of unrestrained development. The Sierra Club represents over 350,000 members who want this resource saved, not just for themselves but for all the generations to come.

There have been many studies to warn us of the dangers of uncontroled development in the gorge. In 1937 the Pacific Northwest Regional Planning Commission study warned of "a crisis in the destiny of the area in which the perishable natural values of a phenomenal region would, under ordinary circumstances, have no protection comparable in authority or scope to the various forces which endanger them." Studies since then have confirmed the danger and have repeatedly called for coordinate management to deal with the pressures of population growth and urban development.

The Sierra Club believes that although valiant efforts have been made in the past by the Columbia Gorge Commissions and others, we need legislation that will put in place a strong and permanent framework for effective managememt and protection of the Columbia Gorge as a natural resource. We believe that such legislation should involve all units of government and management, with the Federal Government taking the lead role to ensure the development of a management plan, the development of interim guidelines, the implementation of the plan and management oversight, so that the management is consistent with the purposes of the legislation. We believe that the National Park Service has the most extensive experience in this type of resource management and that they should have a key role.

Several pieces of legislation have been introduced or proposed to protect the Columbia Gorge, including Senator Packwood's scenic area bill which we have supported in the past. The Sierra Club is hopeful that this bill, S. 627, will be strengthened in several areas in order to fully conserve all the resources that make up the Gorge environment. We would add stronger protection for wildlife habitat, protection of the tributaries to the Columbia River to preserve anadramous fish spawning habitat, language assuring immediate interim management of identified critical areas by the lead Federal agency after passage of the bill, and specific management criteria for areas not included in the critical area identification but in need of some form of protection. A bill similar to Senator Packwood's with these additional provisions would come close to what we believe the Columbia Gorge needs and deserves, an omnibus conservation bill, not just a scenery protection bill.

The Columbia Gorge, with its human activities as well as its natural qualities, is a national resource, not just a recreation area for

Portland and Vancouver and not just a source of livelihood for its inhabitants. It is one of Washington State's great marketed but not as yet developed or protected tourism attractions. I might note that in the lobby I picked up this brochure that the State put out which highlights the Gorge. Yet the last time I came down here with my family, it was very difficult to find facilities on the Washington side that we could afford. It is attracting people, but there certainly is adequate room and the need to develop facilities to handle them.

Perhaps the endlessly renewable resources of tourism, hunting, sport, and commercial fishing will be the next industries to take hold in the Gorge. With an omnibus bill to protect the Gorge and to shepherd all types of development, it is our belief that the national interests will be served, and that both the resource and the local economy will at long last enjoy some stability.

Thank you, very much.

[The prepared statement of Ms. Bringloe follows:]

Testimony of ANNE BRINGLOE
Northwest Regional Vice-President,
Sierra Club

1516 Melrose Avenue
Seattle, Washington 98122

before the Senate Subcommittee on Public Lands and Reserved Water

Stevenson, Washington

November 8, 1984

Senator Evans and other Subcommittee members, members of the Washington and Oregon delegations, I am Anne Bringloe, Northwest Regional Vice-President of the Sierra Club.

The Sierra Club comes to this hearing today to once again ask for legislation to protect the Columbia Gorge, a national treasure which is slowly being lost from us because of largely unrestrained development. The Sierra Club represents over 350,000 members who want this resource saved, not just for themselves, but for all the generations to come.

Residents of Washington and Oregon and conservationists from all over the country have been actively seeking protection for the Gorge for decades. These efforts enjoy a wide following: tourists, hunters, fishermen, boat owners, naturalists, photographers, archeologists, history buffs, rail passengers, astronomers, commercial fishermen and even people interested in alternate energy who come to see the Boeing windmills overlooking the eastern end of the Gorge.

There have been many studies to warn us of the dangers of uncontrolled development in the Gorge. In 1937,the Pacific Northwest Regional Planning Commission's study warned," A crisis in the destiny of the area, in which the perishable natural values of a phenomenal region would, underordinary circumstances, have no protection comparable in authority or scope to the various forces which endanger them". Studies since then have confirmed the danger and have repeatedly called for coordinated management to deal with the pressures of population growth and urban development.

Today, we see that much has already been lost of that historic natural area of the Columbia Gorge. The Gorge is traversed by wide highways and train tracks. Hydro-electric development has irretrievably changed the river and the once plentiful natural fish runs. Several industrial plants, ports and the forest products industry stand in evidence of man's presence within the Gorge.

But, we know that the Columbia Gorge today is well worth saving. The National Park Service confirmed our judgment in their 1980 study which concluded that the Columbia Gorge is " a nationally significant resource that warrents protection".

The Sierra Club believes that, although valient efforts have been made in the past by the Columbia Gorge Commissions, we need legislation which will put in place a strong and permanent framework for effective management and protection of the Columbia Gorge as a natural resource. We believe that such legislation should involve all units of government in management,with the Federal Government taking a lead role: to ensure the development of a management plan, the development of interim guidelines,the implementation of the plan, and management oversight so that the management is consistent with the purposes of the legislation. We believe that the National Park Service has the most extensive experience in this type of resource management and that they should have a key role.

Several pieces of legislation have been introduced or proposed to protect the Columbia Gorge including Senator Packwood's Scenic Area bill which we have supported in the past. The Sierra Club is hopeful that this bill, S.627, will be strengthened in several areas in order to fully conserve all the resources that make up the Gorge environment. We would add stronger protection for wildlife habitat, protection of the tributaries to the Columbia River to preserve anadramous fish spawning habitat, language assuring immediate interim management of identified critical areas by the lead federal agency, and specific management criteria for areas not included in the critical area identification but in need of some form of protection, such as mineral resources protection. A bill similar to Senator Packwood's S.627 with these additional provisions would come close to what we believe the Columbia Gorge needs and deserves, an omnibus conservation bill.

It is our hope that attempts to manage unusual natural areas in the past, such as the efforts by the Tahoe Regional Planning Agency, will be studied in order to avoid making similar mistakes. It is unreasonable to assume that residents of any area with variable and controversial land use and platting controls would be uniformly dedicated to preserving that land resource. They possess neither the technical skills, the finances, nor the more than human life-time commitment to secure the Columbia Gorge, in particular, from permanent and destructive change.

The Columbia Gorge, with its human activities as well as its natural qualities, is a national resource, not just the recreation area for Portland and Vancouver and not just the source of a livlihood for its inhabitants. It is one of Washington State's great marketed but not as yet developed or protected tourism attractions. Gorge scenes are a prominent feature of the "See the Other Washington" brochure.

Perhaps the endlessly renewable resources of tourism, hunting, sport and commercial fishing will be the next industries to take hold in the Gorge. With an omnibus bill to protect the Columbia Gorge and shepherd all types of development, both the resource and the local economy will at last enjoy stability.

Senator EVANS. Thank you.

Mike Fahey, Washington Native Plant Society.

STATEMENT OF MICHAEL D. FAHEY, WASHINGTON NATIVE PLANT SOCIETY

Mr. FAHEY. Senator Evans, ladies and gentlemen, I'm here to speak in favor of the Packwood bill, S. 627, as a basis for the management of the Columbia Gorge. I represent the Washington Native Plant Society, a society with over 600 members located throughout the State of Washington. All of our chapters schedule field trips to visit the rich flora of the Gorge with the endemic species being of particular attraction. These studies are carried out in a nondestructive way to ensure that future generations will have the opportunity to see and enjoy this special characteristic of the Gorge.

The Gorge is a very unique botanical garden. It includes the lush, wet, western forests; the arid, sage-covered, eastern end; remnants of sand dunes which have been partially destroyed; and a wide diversity of microclimates and associated plant life along its corridor. The special character of the Gorge might be exemplified by Oneonta Botanical area, which has been referred to before here.

To obtain some idea of the importance of the gorge as a botanical storehouse, I counted the species listed by Russ Jolley in his "Survey of Wildflowers and Flowering Shrubs of the Columbia Gorge." This list contains 1,200 species grouped in 90 families. Several of these species grow only in the gorge and a number of them are listed as rare, threatened, or endangered.

What causes a plant to be listed as rare, threatened, or endangered? The primary reason is the loss of habitat, and the loss of habitat is most often due to the activities of man. For example, the loss of habitat can be due to flooding, grazing, logging, mining, or land development.

One might ask why is it of concern that a few plants are lost through extinction? This question is discussed in a new book published by the Smithsonian Institution, entitled "Our Green and Living World" and subtitled "The Wisdom To Save It." I want to read a short section from S. Dillon Ripley's introduction to this book where he states:

> Perhaps the greatest part of that power—

And here he refers to nature's powers of renewal—

> resides in the genetic diversity of plants. From it springs our botanical drugs, foods, structural materials, fibers, fuels and many other classes of goods. Perhaps they've all become commonplace through familiarity, but even everyday magic is not to be despised. If we have learned anything from mankind's experience, it is that we need all the magic, grace and miracles that come our way.

To this I might add that we can help ourselves to enjoy the magic, grace, and miracles by acting to protect our natural heritage, the Columbia River Gorge.

Preservation without Federal Government assistance would be desirable. However, there are too many diverse interests and levels of government involved with an area this large. Private efforts to preserve plant habitats and scenic areas have been extensive, through land donations, land exchanges, acquisition by the Nature Conservancy and by the Trust for Public Lands. But, they cannot handle the job as it is too large. In addition, there's a broader need to protect the historical, scenic, geological, and archeological features of the gorge. I believe this can only be accomplished by a strong, single, management plan for the gorge.

Thank you.

[The prepared statement of Mr. Fahey follows:]

Testimony of Michael D. Fahey, 215 Phoenix Way, Vancouver Wa.98661
Prepared for the November 8th hearing regarding the Columbia River Gorge.

I am here to speak in favor of the Packwood bill S627 as a basis for the management of the Columbia River Gorge. I represent the Washington Native Plant Society, a society with over 600 members located throughout the state of Washington.All of our chapters schedule field trips to study the rich flora of the Gorge, with the endemic species being a particular attraction. These studies are carried out in a non-destructive way to insure that future generations will have the opportunity to see and enjoy this special character of the Gorge.

The Gorge is a unique botanical garden. It includes the lush wet western forests, the arid sage covered eastern end, remnants of sand dunes, and a wide diversity of microclimates and associated plant life along its corridor. The special character of the Gorge might be examplified by the Oneonta Botanical area.

To obtain some idea of the importance of the Gorge as a botanical storehouse, I counted the species listed by Russ Jolley in his Survey of Wildflowers and Flowering Shrubs of the Columbia Gorge. This list contains about 1200 species grouped in 90 families. Several of these species grow only in the Gorge and a number of them are listed as rare,threatened or endangered.

What are causes for a plant to be listed as rare, threatened or endangered? The primary reason is the loss of habitat and the loss of habitat is most often due to the activities of man. For example the loss of habitat can be due to flooding (dams),grazing, logging, mining, or land development.

One might ask why it is of concern that a few plants are lost through extinction? This question is discussed in a new book published by the Smithsonian Institution and titled Our Green and Living World and subtitled The Wisdom to Save It I will read a short section from S. Dillon Ripley's introduction to this book. He states " A great part, perhaps the greatest part of that power (here he refers to Nature's powers of renewal) resides in the genetic diversity of plants. From it springs our botanical drugs, foods, structural materials, fibers, fuels and many other classes of goods.Perhaps they've all become commonplace through familiarity, but even everyday magic is not to be despised. If we have learned anything from mankind's experience, it is that we need all the magic, grace and miracles that come our way." To this I would add that we can help ourselves to enjoy the magic, grace and miracles by acting to protect our natural heritage--the Columbia River Gorge.

Preservation without Federal Government assistance would be desirable, However there are too many diverse interests and levels of government involved with an area this large. Private efforts to preserve plant habitats and scenic areas have been extensive (land donations, land exchanges, acquisition by the Nature Conservancy and the Trust for Public Lands) but can not handle the job as it is too large. In addition there is the broader need to protect historical, scenic, geological, and archeological features of the Gorge. This can only be accomplished with a strong single management plan for the Gorge.

At this point I would like to add some personal comments on the protection of the Gorge.I have been visiting the Gorge for 38 years and remember many of the wild and beautiful features that we have lost forever. Celilo Falls, the tunnel at Mitchel point, the large salmon runs, petroglyph canyon and the Long Narrows are all lost. As Emory Strong stated in The Stone Age on the Columbia River, "There is no place in the world like the Long Narrows". It was a place where the river turned on its side and carved a channel that reached depths of 175 feet below sea level.

These losses were the result of being slow to recognize the value of our natural heritage and to consider only the immediate benefits from our activities.My purpose in drawing attention to these losses is to remind us of the damage that we can do if we do not do a careful job of management. When I visit the Gorge as I do 30-40 times each year, all of my cares and worries vanish. It refreshes my soul. I have purchased a lot in one of the developed areas of Skamania County and hope to build a home there for my retirement. I would feel a great loss if we are not wise enough to cherish and protect what nature has provided.

Senator **Evans**. Thank you, very much.

Russ Jolley, Oregon Environmental Council.

STATEMENT OF RUSS JOLLEY, OREGON ENVIRONMENTAL COUNCIL

Mr. **Jolley**. Thank you, Senator.

In a distance of only 50 miles, west to east, the Columbia River Gorge spans a spectrum of ecological diversity, from coniferous rain forests near Bonneville Dam to pine-oak grassland near Mosher, to sagebrush desert near Celilo, with elevations ranging from near sea level to over 4,000 feet. This amazing diversity of environment in such a small area is more than matched by the diversity of plantlife found there. In a systematic survey of the gorge, almost 800 native species of wildflowers and flowering shrubs have been found, not including grasses and sedges; 11 beautiful wildflower species are found only in the gorge. In the east half of the gorge there are many plants which otherwise are found only in the Rogue River Valley, far to the south. In the bottom of the gorge, at elevations of less than 200 feet above sea level, there's a large group of plants which are considered mountain species. Outside the gorge, these plants are rarely found below 4,000 feet elevation.

Forty-two flower species found in the gorge are listed by the State of Washington Department of Natural Resources as endangered, threatened, or sensitive, but the State of Washington gives them no statutory protection, even on State-owned lands. A similar list of rare, threatened, and endangered plants published by the Oregon Land Board contains the names of 31 wildflower species found in the gorge, but Oregon also has no statutory protection for them.

On the other hand, 14 plant species occurring in the gorge are listed by the U.S. Fish and Wildlife Service as "candidate-threatened," and this listing does, indeed, afford them a degree of protection of Federal lands. A recent offer by the BLM to hand over a parcel of land on the face of the gorge to the State of Oregon was withdrawn when the BLM was persuaded that it could not so easily hand over its responsibility for protection of a federally listed plant found growing there.

What we have is an important botanical resource, one which contributes to the national significance of the gorge and surely to its scenic beauty. If this natural heritage is to be passed on intact to the next generation, the gorge needs designation as a national scenic area, with a single managing agency, and an act of Congress which specifically directs the agency to protect the endangered, threatened, and sensitive plants and the natural ecosystems of the gorge.

Thank you.

[The prepared statement of Mr. Jolley follows:]

OREGON ENVIRONMENTAL COUNCIL
2637 S.W. Water Avenue, Portland, Oregon 97201
Phone: 503/222-1963

TESTIMONY OF RUSS JOLLEY FOR THE OREGON ENVIRONMENTAL COUNCIL BEFORE THE PUBLIC LANDS SUBCOMMITTEE OF THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE; STEVENSON, WA., NOVEMBER 8, 1984

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In a distance of only 50 miles, west to east, the Columbia River Gorge spans the spectrum of ecological diversity from coniferous rain forest near Bonneville Dam, to pine-oak grassland near Mosier, to sagebrush desert near Celilo, with elevations ranging from near sea-level to over 4000 ft. This amazing diversity of environment in such a small area is more than matched by the diversity of plant life found there. In a systematic survey of the Gorge, almost 800 native species of wildflowers and flowering shrubs have been found, not including grasses and sedges. These native plants range from tiny specks of color on the ground to brilliant displays which cover whole hillsides. They are found on federal, state, county, and private lands, and, of course, in the rights-of-way of state and county roads.

Eleven beautiful wildflower species are found only in the Columbia Gorge. In the east half of the Gorge, there are many plants which otherwise are found only in the Rogue River Valley far to the south. In the bottom of the Gorge, at elevations of less than 200 ft. above sea level, there is a large group of plants which are considered mountain species. Outside the Gorge, these plants are rarely found below 4000 ft. elevation.

42 flower species found in the Gorge are listed by the State of Washington Department of Natural Resources as endangered, threatened, or sensitive, but the State of Washington gives them no statutory protection, even on state-owned lands. A similar list of rare, threatened, and endangered plants published by the Oregon Land Board contains the names of 31 wildflower species found in the Gorge, but Oregon also has no statutory protection for them.

On the other hand, 14 plant species occurring in the Gorge are listed by the U.S. Fish & Wildlife Service as "Candidate Threatened", and this listing does indeed afford them a degree of protection on federal lands. A recent offer by the BLM to hand over a parcel of land on the face of the Gorge to the State of Oregon was withdrawn when the BLM was persuaded that it could not so easily hand over its responsibility for protection of a federally listed plant (Sullivantia oregana) found growing there.

What we have is an important botanical resource, one which contributes to the national significance of the Gorge and surely to its scenic beauty. If this natural heritage is to be passed on intact to the next generation, the Gorge needs designation as a National Scenic Area, with a single managing agency (as in S. 627), and an Act of Congress which specifically directs that agency to protect the endangered, threatened, and sensitive plants and the natural ecosystems of the Gorge.

Senator EVANS. Thank you.

Alan Merson, the Washington Environmental Council.

STATEMENT OF ALAN MERSON, WASHINGTON ENVIRONMENTAL COUNCIL

Mr. MERSON. Senator, fellow seekers of truth, I've submitted some testimony there that's detailed, that chronicles State efforts, at least in the State of Washington, over the last few years to try to protect the gorge. I want to pay special tribute to one of the local representatives from this area, State Senator Hal Zimmerman, who I think as you'll see in that testimony has made an honest effort, to push State regulation about as far as I think he felt it could go, both in terms of regulatory mechanisms, bonding, acquiring less-than-fee interest in land, to see if the State couldn't get a handle on the issue.

It seems apparent, based at least on my own personal experience in having served as a State official, local official, having taught in the local government field, having been a consultant to a number of local governments, that what Commissioner Mills of Hood River County said is abundantly clear; and that is that the county itself, whether it's Skamania County, Hood River County, Wasco County, Klickitat County, any of these counties simply don't have the tools to do the job completely. It's going to require, obviously, a partnership. The State itself doesn't have the tools. I think while you were Governor we saw two significant tools in the State of Washington, the State Environmental Policy Act and the Shorelines Management Act, to help deal with some very, very serious land-use problems. But, that's not the whole story. We don't have the comprehensive framework at the State level that can do the job.

Therefore, I think we have to go with a proposal similar to S. 627. I would support, on behalf of the Washington Environmental Council, the remarks made by Booth Gardner's representative. It seems to us that that approach represents the best chance, really, for seeking an equitable solution to this problem.

Federal legislation, I should point out, both the Packwood bill and the Governor's bill, makes provision for local leadership. It makes provision for administration basically of that framework by local officials. I think it's critical that that happen. Let's recognize that this Federal legislation is limited. It can't serve all the purposes that people wanted it to serve in the testimony this morning. It isn't an economic development proposal. It's simply designed in a very limited way to protect some values that I think a number of people feel are worthy of protection.

I'd like to extend a hand, really, on behalf of the environmental community and many of the people in this room. I think it's really regrettable that this situation has become so polarized that people feel there is no middle ground. I don't think that's the case. I don't believe that environmentalists are opposed to economic progress, and I don't believe that the people here in Skamania County are opposed to environmental protection. I think they want a good environment. I think we both have the same goals in mind.

I think there are times, though, when leaders of various interst groups tend to tell tales. I think prosecutor Leick's dramatic flair, his conspiracy theory, is worthy of full Hollywood treatment: perhaps a remake of "Red River" or a sequel to "Red Dawn"; maybe the county should get a minesweeper to protect itself from the guerrillas moving upstream from Portland or to keep those MiG's at the airport in Portland. I don't know, it gets awfully thick at times. I think people tend to get emotional and rather confused as to the real issue.

The real issue is action now. There can be no more continuing uncertainty or everyone is going to get hurt. Property values will suffer, the economic interests of this area will suffer. I think we all have an interest in seeing you and your colleagues moves ahead with legislation this next session.

[The prepared statement of Mr. Merson follows:]

Testimony of Alan Merson
appearing before the
Public Lands and Reserved Water Senate Subcommittee of the
Senate Committee of Energy and Natural Resources
November 8, 1984
Stevenson, Washington

Senator Evans and members of the Committee, my name is Alan Merson. I am a lawyer and live in Seattle. In the past I have done some consulting work for Friends of the Columbia Gorge. I have followed the progression of this issue closely from what I perceived as a mere babe to full grown adulthood--certainly mature enough to be resolved very, very soon. Prompt resolution is my strong hope, because every time I drive through the Gorge I see a fresh defacement of one kind or another. The trend is obvious. We need Congressional action very badly.

I think it would be worthwhile to look at the process the State of Washington has gone through during the past four years in an attempt to bring about protection of the Gorge at the state level. I am attaching a "Chronology of Significant Preservation Activities", prepared by the Gorge Commissions, as a summary of other efforts in the Gorge in addition to those that I will discuss.

These efforts to bring about a solution at the state level were encouraged and assisted with commendable dedication by State Senator Hal Zimmerman, a man highly respected for his integrity and competence.

In late January, 1981, Senator Zimmerman advocated the buying of development rights in the Columbia Gorge. He suggested that other areas in the state be included in the $75 million proposed bond measure that would be offered as a referendum to voters in the fall of 1982. The Senator said other areas might be named for purchase with the money from the bond issue, which would broaden its appeal. The Vancouver Columbian commented on February 13, 1981: "A bond issue that has potential to benefit several areas of the State should have a better chance of passing than one singling out the Columbia Gorge." This proposal died and its demise reinforced past experience in the Gorge-- Washington legislators are not going to put money for preservation in an area that is off the beaten track for many of their constituents. Senator Zimmerman acknowledged his understanding of that fact when he proposed a bond issue not only for the Gorge but for other areas.

Senator Zimmerman's second proposal, which he discussed on March 18, 1981, in the Vancouver, Washington, Community Post, in his words, "would provide a three-level agreement of the counties, state and federal agencies cooperatively working to preserve the best of the Gorge..." This bi-state compact idea, pushed both by Skamania County Commissioner, Bill Benson, and the Chairman of the Washington Gorge Commission, was drafted into a bill and heard in the State Legislature on March 20, 1981. The bill, considered very weak because the bi-state commission was not given authority to supercede local governments in zoning and building matters, was killed by the Skamania and Klickitat County Commissioners who withdrew their support. This bi-state legislation was amended to create a "Select Committee" to study Gorge management, using $30,000 appropriated by the Washington Legislature.

At this time, Senator Zimmerman said (Vancouver Columbian, June 2, 1981), "I believe two select committies operating independently in each state... could operate like a bi-state compact without the delay and rigamarole of having to get the same word for word legislation passed in both states and the approval of Congress and the President." By now it was clear Senator Zimmerman was acknowledging that his constituents did not view the Gorge as one unit. After all, the bi-state compact had floundered, along with the development rights proposal.

The Select Committee process was set up to conclude with a recommendation to the Washington Legislature by December 1, 1981. The Committee was formed by July 1981 amid promouncements by Governor John Spellman that, "The Gorge is a great heritage and must be preserved." By December 1981 the Committee's work was completed. At the insistance of the Skamania County representative, who repeatedly tried to delete Oregon from every aspect of the proposal, Oregon's interests in the Gorge were ignored, and only those of Washington were addressed.

By February 26, 1982, a bill drafted from the Select Committee Report, Senate Bill 4914, was reported to be "in limbo" by the Skamania County Pioneer. Senator Zimmerman had removed the bill from the State Government Committee agenda because of lack of support, again, from Skamania County.

My point is detailing this process for you is this: We have simply had enough time to establish without question the truth that the State of Washington cannot protect the Gorge. If it had the will, the job is beyond the state's capability. Senator Zimmerman has my complete admination for doing absolutely everything he could to find a state solution. It does not exist.

It is now flood tide in the Gorge. Shakespeare put it well, "We must take the current when it serves or lose our ventures." We cannot lose the Gorge. Failed solutions, studies, and process are behind us; we are now full ready to move on. We look to you, Senator Evans, to provide a strong and long-lasting solution to Columbia Gorge management.

I support the National Scenic Area legislation (S 627) as the absolute minimum of authority needed to protect the national interest in the Gorge.

Thank you.

THE GORGE MANAGEMENT DEBATE: A CHRONOLOGY

(Prepared by Oregon & Washington Columbia River Gorge Commissions, June 1984)

1976	- Portland Open Space and Urban Parks Study by the National Park Service notes that the Columbia River Gorge is an open space and recreational resource of national significance.
Late 1979	- "Columbia Gorge Coalition" is formed. The citizens organization is dedicated to preserving the heritage, scenery, recreational values and agricultural lands of the Gorge. Coalition proposes creation of a Gorge National Scenic Area. The area would consist of a western core managed by the National Park Service, with the remainder managed by a local/state/federal commission.
January 1980	- In a letter to Cecil Andrus, Secretary of Interior, Washington Gov. Ray and Oregon Gov. Atiyeh state that although closer attention should be paid to Gorge protection, such protection should be a function of state and local governments rather than the federal government.
April 1980	- National Park Service completes a year-long study of the Gorge. The study concludes that the scenic, natural and cultural values of the Gorge make it "a nationally significant landscape that warrants protection."
July 1980	- Thirty-nine Portland, Vancouver and Eastern Gorge residents form "Committee to Save the Columbia Gorge." Its purpose is to call attention to the need for protection of Gorge scenic and natural values. The committee advocates federal legislation placing the Gorge under management of the National Park Service.
October 1980	- Gov. Victor Atiyeh urges a bi-state compact to enhance the Gorge Commissions' abilities to protect Gorge scenic and natural values.
January 1981	- "Gorge Protection Council," a committee of elected officials from Gorge jurisdictions, is formed. Its aim is to oppose federal legislation and protect local governmental control. It seeks gubenatorial executive orders naming the council as the official Gorge management agency. No such executive orders are given. The organization is currently inactive.
Feb. 20, 1981	- In a letter to the Oregon Gorge Commission, Gov. Atiyeh notes that while he supports a bi-state compact, he will pursue other avenues to ensure Gorge protection, including federal legislation, if necessary.
Feb. 26, 1981	- Multnomah County Executive Don Clark announces the formation of "Friends of the Columbia Gorge." The purpose of the organization is to preserve the scenic and natural qualities of the Gorge by seeking federal legislation creating a National Scenic Area.
April 2, 1981	- Washington State Senate passes bi-state commission legislation (S.S.B.

3945), 39 to 10 votes. The bill proposes a 13-member management commission consisting of representatives from Oregon and Washington and ex-officio members from the U.S. Forest Service, Corps of Engineers and Bonneville Power Administration. The bill is later amended to create a temporary Governor's Select Committee to study the Gorge and make recommendations to the governor and legislature. No similar legislation is considered by the Oregon legislature.

April 26, 1981 - Washington legislature creates the Governor's Select Committee to examine the need to preserve and protect the scenic, natural and historic features of the Gorge, and to recommend how such preservation could be accomplished. The committee consists of local county commissioners, state legislators from the Gorge, members of the Gorge Commission and citizens at large.

May 22, 1981 - In opposition to federal legislation, "Gorge Defense League" is chartered in Stevenson, Wash. to promote local governmental control of the Gorge and preservation of private property rights.

May 28, 1981 - Gov. Atiyeh, in a letter to the Oregon congressional delegation, says that federal legislation, rather than a bi-state compact, may be the best mechanism to achieve protection of the Gorge. The governor remains steadfast on the need to form an effective partnership of local, state and federal governments.

Aug. 10, 1981 - Gov. Atiyeh appoints a six-member committee to cooperate with the Washington Governor's Select Committee. The purpose is to ensure that the Washington Committee takes into consideration the concerns of Oregonians. The two committees meet once.

December 1981 - The Washington Governor's Select Committee submits its report on the Gorge. The report recommends that the state create a review commission to oversee and direct land use use and resource management in the Washington portion of the Gorge. It also suggests that Oregon be encouraged to adopt similar legislation and that Congress be petitioned to pass laws to ensure that federal actions are consistent with state Gorge plans.

Feb. 2, 1982 - Washington State Sen. Hal Zimmerman introduces legislation based on the recommendations of the Governor's Select Committee. The bill dies in committee.

March 31, 1982 - Two bills pertaining to protection of the Gorge are introduced in the U.S. Congress. One, introduced by Oregon Sen. Bob Packwood and based on a legislative concept developed by Friends of the Columbia Gorge, proposes placing the Gorge under management of the U.S. Forest Service. The federal agency would have authority over land use and resource management and would be authorized to acquire land. An advisory commission would be appointed to assist the Forest Service in developing a management plan. The second bill, introduced by Oregon Rep. Ron Wyden, is similar, except that the regional commission would be given greater authority in planning and management of the area.

October 1982 - Citing the need for environmental protection and economic development, "Protect the Gorge Committee" is formed to promote retention of local and regional authority in Gorge land use planning and resource management. It opposes pending federal legislation.

November 1982 - "Columbia Gorge United" is formed for the purpose of opposing federal management of the Gorge. The group cites the need "to reach outside the Gorge to educate and mobilize the population on a wide scale in opposition to Federal Control." Of primary concern to the organization is the need to protect private property rights and representative government.

February 1983 - Clark, Skamania and Klickitat counties adopt an interlocal agreement to set a schedule and process for protecting environmentally and visually sensitive Gorge lands. The agreement was drafted by Protect the Gorge Committee. A month later, Skamania County fails to give the agreement final ratification.

Feb. 10, 1983 - Oregon Sen. Bob Packwood conducts a formal Senate hearing on Gorge legislation in Hood River, Oregon.

Feb. 16, 1983 - Washington legislature passes a memorial requesting Congress to "refrain from considering legislation imposing further federal control over nonfederal land in the Columbia River Gorge." No similar action is taken by the Oregon legislature.

March 1, 1983 - Oregon Sen. Bob Packwood reintroduces legislation based on the legislative proposal of the Friends of the Columbia Gorge. The legislation proposes placing the Gorge under management of the U.S. Forest Service. USFS would be assisted by an advisory commission of local, state and national representatives.

March 15, 1983 - Governors Atiyeh and Spellman issue 22 principles for Gorge management and initiate work to draft legislation. Principles call for singular Gorge management and for a "real partnership between the interests of federal, state and local governments."

March 25, 1983 - Oregon Sen. Mark Hatfield conducts formal Senate hearings on Gorge legislation in Portland.

March 29, 1983 - Washington Sen. Slade Gorton conducts a town hall meeting on Gorge legislation in Vancouver.

May 1983 - Governors Atiyeh and Spellman release draft Gorge legislation. Their proposal calls for creation of a 23-member regional management commission to oversee and direct land and resource uses. The commission would be directed to prepare a management plan and authorized to acquire land.

July 22, 1983 - Governors submit Gorge legislation proposal to Northwest congressional delegation. The size of the proposed regional management commission is trimmed from 23 to 14.

August 4, 1983 - Gorge legislation proposed by Governors Atiyeh and Spellman is introduced by members of the Oregon and Washington congressional delegations.

May 1984 - Oregon Rep. Ron Wyden proposes an amendment to the Governors' legislation to allow the Secretary of Agriculture to review and propose changes to the management plan prepared by the regional commission.

Senator EVANS. Thank you.

Jo Roberts from the Mountaineers.

STATEMENT OF JO ROBERTS, THE MOUNTAINEERS

Ms. ROBERTS. Senator Evans, members of the committee, the Mountaineers is an outdoor recreation and conservation organization of over 11,000 members. Since our founding in 1906, our members have taken an active interest and role in questions pertaining to land use and resource protection, and our first documented trip to the Columbia River Gorge was in 1911.

The Mountaineers urgently request that you do all that you can to help create a congressionally mandated Columbia Gorge national scenic area under the provisions of the Packwood bill. Our written testimony goes into the particulars as to why we believe that is the best approach. Because little can be accomplished without funds to reimburse landowners, we urged adequate appropriation to do that.

We also urge protection for the tributaries that flow into the gorge. They offer wonderful recreation opportunities for boating, fishing, and hiking. The Mountaineers first trip into the gorge describes a hike along one of the gorge tributaries, the Little White Salmon River. The outing group had just climbed Mount Adams and was heading south to the gorge. The following description is from the Mountaineer annual of 1911 and was written by Winona Bailey:

> The trail from the ice cave to Oklahoma Ranger Station, where the next night's halt was made, was one recently built, and led across a ridge into the valley of the Little White Salmon through beautiful forests of white pine and fir. The mild character of this country made it seems more like a local walk than the mountaineering of a summer outing.
>
> The last day the trail widened into the road, the footlog into the strong bridge, farm houses were passed at intervals, until finally the whistle of a locomotive was heard and we knew that the solitude of the hills was ours no more. At a sharp bend in the road, high on a hillside, we caught the first glimpse of the mighty Columbia.
>
> Our last night was spent on its banks, and the next day a marvelous ride on its waters through the locks, past the rapids, past the Bridge of the Gods and the numerous cascades formed a fitting climax to a most successful outing.

The Mountaineers strongly urge you to give the gorge and its environs the protection that will allow future generations to experience the same thrill that those early Mountaineers felt in 1911.

I think I should have about 1 minute left. So, if I may, I would like to address the question posed earlier that the Feds are the bad guys who louse up the land. Federal presence is one which oversees according to its mandate. For example, when the Forest Service manages nonwilderness lands, it's for multiple use—timber cutting, and so on, and that changes to wilderness use with appropriate legislation. When Bonneville Dam was built, it was for hydropower use, and it's an example of when the feds do it, they can do it in a significant way. That is the kind of national scenic area that we want, a significant one.

We are the government, and government, as it progresses from local to State to Federal, may become more complicated, but not necessarily so. But, it does represent more people. The gorge is a national treasure of all the people. It belongs to our citizens back east, where the land is already fouled beyond repair, partly because it provides the country, including us, with industrial goods which we use but which we don't want to have industry here because it will foul our lands. We owe them something for that.

Thank you.

[The prepared statement of Mr. Fadden follows:]

The Mountaineers
300 Third Avenue West • Seattle, Washington 98119 • (206) 284-6310
BRANCHES IN TACOMA, EVERETT, OLYMPIA AND BELLINGHAM

Senator Daniel Evans
3206 Jackson Federal Building
915 Second Avenue
Seattle, WA 98174

November 8, 1984

RE: Columbia River Gorge National Scenic Area

Dear Senator Evans:

The Mountaineers is an outdoor recreation and conservation organization of 11,000 members located primarily in the Puget Sound area, but with membership distributed throughout Washington State. Since our founding in 1906, our members have taken an active interest and role in questions pertaining to land use and resource protection. Our first documented outing to the Columbia River Gorge was in August of 1911 and we have visited this area frequently since then.

The Mountaineers urgently requests that you do everything possible to create a Congressionally mandated Columbia Gorge National Scenic Area under the provisions of the present so-called Packwood bill. Those of us here in Washington have known of and seen firsthand, your commitment to high environmental quality during your governorship.

As you know, the Columbia Gorge just east of Vancouver and Portland is unique on the North American continent. It encompasses some of the most spectacular and most varied geological formations and ecological communities to be found anywhere -- ranging from lush forests to sagebrush, and from great lava cliffs to the islands and sand bars of a magnificent major river. The Columbia Gorge itself is of historic importance in the early exploration of the Pacific Northwest. It is estimated that Native American cultures inhabited the Columbia Gorge as early as 11,000 years ago. From Lewis and Clark's first explorations in 1805 to its present role in the lives of Washington and Oregon residents, the Gorge offers a rich, many-layered perspective on the development of our region. The Gorge has tremendous tourist potential, beyond its present level, as an area of great natural beauty and historic importance.

The Mountaineers strongly urges that fully adequate local, state and federal protection, working in partnership, be accorded the Columbia Gorge as a matter of high priority. The present plethora of local governmental jurisdictions has afforded no really effective assurance that the Columbia Gorge, because of extensive private ownership and lack of viable land use controls (especially on the Washington side), will not be lost in the near future as a major scenic resource. Greatly increased residential subdivision and industrialization will irretrievably destroy the area as a world-class scenic area and a potentially major tourist magnet for both Washington and Oregon. Previous statewide and bi-state commissions have failed to provide effective protection. Further, we have a very sad example of states-only administration in the Lake Tahoe area. Ther is still hope for the Columbia Gorge, but not without some kind of national participation.

With the recent completion of the new Interstate 205 bridge and freeway just upstream of Vancouver and Portland, actual pressures for the extension of urban sprawl east into the Gorge are already intensifying alarmingly. Several proposed residential subdivisions are planned within the heart of the Gorge on the Washington side. There is little time to establish truly effective protection for both the Washington and Oregon sides of the Gorge.

The Mountaineers feels that active federal participation in planning and in the land-use administration of the Columbia Gorge is essential for the protection and proper use of the resource which has such major significance to the entire Pacific Northwest, and indeed to the nation. Two legislative versions have been introduced into Congress: the so-called governors' bill sponsored by Governors Spellman and Atiyeh of Washington and Oregon, and the commonly-termed Packwood bill. The Mountaineers as an organization has carefully compared both bills as to effectiveness and adequacy, and feels that the Packwood bill is far superior without being overly restrictive to the rights or lives of the citizens living on either side of the Gorge. That bill already represents a synthesis of earlier proposals made both by conservation organizations and local groups.

Under the present Packwood bill, the U.S. Forest Service would participate in preparing the master use plan in conjunction with the Columbia River Gorge National Scenic Area Regional Commission, and would administer the plan and area thereafter. The Regional Commission itself would have local, state, and federal membership representation in its work in advising and helping the U.S. Forest Service in preparing the management plan, and in monitoring its implementation and reviewing land acquisition and use proposals. The balance between federal, state and local interests would assure the kind of long-range benefits to the region which experience has shown are simply unattainable where local control predominates. The Packwood bill exempts incorporated communities within the Scenic Area boundaries, closely controls eminent domain powers, identifies critical areas, and contains stronger interim protection guidelines and land use review powers than does the governors' bill.

We fully endorse the present Packwood bill as the most effective vehicle for the orderly planning and long-range beneficial administration of the Columbia Gorge as a major local, regional and national scenic asset. Because little can be accomplished without funds to reimburse landowners, we urge adequate appropriation to do that.

We also wish to have protection for the tributaries that flow into the Gorge. This is essential to restore salmon and steelhead runs in the Columbia Basin. Wild and Scenic River designation should be considered for the Wind, Little White Salmon, Washougal, White Salmon and Klickitat Rivers. The health of the Gorge depends on its tributaries. They also offer wonderful recreation opportunities for rafting, fishing and hiking.

The Mountaineers first recorded trip into the Gorge describes a hike along the Little White Salmon River in 1911. The outing group had just climbed Mount Adams and was heading south toward the Gorge. The following description is from the Mountaineer Annual:

"The trail from the ice cave to Oklahoma ranger's station, where the next night's halt was made, was one recently built and led across a ridge into the valley of the Little White Salmon through beautiful forests of white pine and fir. The milder character of the country made the trip of the last few days seem more like local walks than the mountaineering of the summer outing.

The last day the trail widened into the road, the foot log into the strong bridge, farm houses were passed at intervals until finally the whistle of a locomotive was heard and we knew the solitude of the hills was ours no more. At a sharp bend in the road, high on the hillside we caught our first glimpse of the mighty Columbia. A last night was spent on its banks and the next day a marvelous ride on its waters, through the locks, past the rapids, past the Bridge of the Gods, and the numerous cascades, formed a fitting climax to a most successful outing."

The Mountaineers strongly urge you to give the Gorge and its environs the protection that will allow future generations to experience the same kind of thrill that those early Mountaineers experienced in August of 1911.

Sincerely,
THE MOUNTAINEERS

Delmar M. Fadden

Delmar M. Fadden
President

DMF:nj

Senator EVANS. Thank you.
Andy Kerr, Oregon Natural Resources Council.

STATEMENT OF ANDY KERR, ASSOCIATE DIRECTOR FOR CONSERVATION AND EDUCATION, OREGON NATURAL RESOURCES COUNCIL

Mr. KERR. First, Senator, I would like to say that the Oregon Natural Resources Council supports the designation of a Columbia gorge National Scenic Area, administered by the National Park Service not the U.S. Forest Service. We believe the Park Service has shown itself to be a very capable manager of people and natural resources, and we believe it is the only Federal agency with the ability to do the job. I'll give you two examples.

The Forest Service has had two chances in Oregon to manage special congressional designations. In both Hells Canyon and the Oregon Dunes National Recreation areas, OR conservationists have been very disappointed with the performance of the Forest Service. In the Hells Canyon NRA, the agency's managment plan was written and is being implemented with a severe bias toward timber exploitation at the expense of fish, wildlife, recreation and other values. Those values are what Congress sought to protect in 1976. In the Oregon Dunes National Recreation Area, the Forest Service has taken a slighty different tack. Rather than writing an awful plan, as in Hells Canyon, the agency in the Oregon Dunes wrote what appeared to be on paper an adequate plan. However, they simply ignore that plan whenever it pleases the agency. Only strong citizen pressure and the threats of lawsuit have today persuaded the Forest Service to follow the plan to the degree they have.

When my counterparts in Washington State come to you seeking wilderness designation, they want to save those lands from the Forest Service. What they're really saying, I think, is that they want to save those lands from Forest Service discretion. The agency manages wilderness pretty well once the Congress tells them that is their purpose. With a wilderness bill, you prescribe legislation which eliminates much of the discretion of the agency.

In the case of Hells Canyon, the Oregon Dunes or what would happen in the Columbia Gorge, you're talking about legislation which requires discretion. The Forest Service has shown that it routinely abuses discretion. The National Park Service has much more experience and much more ability to exercise this discretion to manage what is not wilderness, and we all agree here today on that, a very special place but a place with dams, powerlines, people, certainly not wilderness.

My second point is that we feel the so-called critical lands designation is both unnecessary and inappropriate. I would suggest that all lands which Congress chooses to include in a national scenic area boundary are critical and should be treated as such.

Third, I'd like to say it's extremely important to our members that the free-flowing tributaries of the Columbia River be afforded full protection under the Federal Wild and Scenic Rivers Act. It is our view that the outstanding fish, wildlife, recreational, scenic, botanical and other resources of these tributaries are equally in need of protection with those resources along the main stem of the Columbia, and that these tributaries are an integral part of what makes the Columbia River Gorge so special.

Finally, ONRC supports statutory provisions to assure that the purposes of the legislation are fulfilled. Such provisions and instructions are necessary, even with the National Park Service, to prohibit further hydroelectric development on streams, the destruction and degradation of wetlands, the mineral exploitation and commercial logging on Federal lands in a national scenic area. Additionally, the act should provide for effective regulation of logging on private lands so as to ensure natural and scenic values.

Earlier this morning you stated that it was interesting in your view that a lot of the things that have changed the character of the gorge have been federally inspired, by the National Government. That's certainly true. Highways, dams, railroads, and such were built at the behest of the Federal Government. But, I think the point here is that the Federal Government has the power. It had the power, and it exercised it, to dam the Columbia, to have the railroads built, to build the highways. It has the power to finish off the natural splendor of the gorge. Or it has the power to preserve it. But, whether the Federal Government fails to act or it chooses not to act, it is exercising its power, and we will see the continued degradation of the gorge.

So, in conclusion we feel that if the gorge is worth preserving, and we do, that Congress should act positively and should act soon.

Thank you, very much.

[The prepared statement of Mr. Kerr follows:]

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Statement of

ANDY KERR
Associate Director for Conservation and Education

before

Senator Dan Evans
Subcommitte on Public Lands and Reserved Waters
Energy and Natural Resources Committee
United States Senate

on the matter of the

Columbia River Gorge

at

Stevenson, Washington
November 8, 1984

My name is Andy Kerr and I am Associate Director for the Oregon Natural Resources Council. ONRC is an association of over 90 conservation, sportsmen, education, commercial, and outdoor recreation member organizations. We also have more than 2000 individual members. We are primarily concerned with the protection of Oregon's natural heritage of wildlands, free-flowing waters and its outstanding fish, wildife, botanical and outdoor recreational resources. In the case of areas like Hells Canyon, the Owyhee River and especially the Columbia Gorge, our interest extends beyond state political boundaries.

I have appended to my oral testimony a full statement of ONRC's position on this critical issue and I ask that the entire submission be included in the official record.

First, ONRC supports the designation of a Columbia Gorge National Scneic Area, administered by the National Park Service. We believe that the Park Service has shown itself to be a very capable manager of people and natural resources. It is the only federal agency with the ability to do the job.

In contrast, the Forest Service has had two chances in Oregon to manage special Congressional designations. In both the Hells Canyon and Oregon Dunes National Recreation Areas, Oregon conservationists have been very disappointed with the performance of the Forest Service.

In Hells Canyon NRA, the agency's management plan was written and is being implemented with a severe bias toward timber exploitation at the expense of the fish, wildlife, recreation and other resources which Congress sought to protect in 1976. The Forest Service plans to clearcut--they call it a "shelterwood" cut, but in 10 years it will be just another clearcut--in a National Recreation Area.

In the Oregon Dunes National Recreation Area, the Forest Service has taken a slightly different tact. Rather than writing an awful plan, as in Hells Canyon, the agency wrote a plan that appeared to be adequate on paper. In the Dunes, however, the Forest Service simply ignores its own plan, whenever it pleases. Only strong citizen pressure and threats of lawsuits have persuaded the Forest Service to follow the plan.

Secondly, ONRC strongly feels that a so-called "critical lands" designation is both unnecessary and inappropriate. We suggest that all the lands which Congress chooses to include within the National Scenic Area boundary are "critical" and should be treated as such.

Third, it is extremely important to our members that the major free-flowing tributaries to the Columbia River be afforded full protection under the federal Wild and Scenic Rivers Act. It is our view that the outstanding fish, wildlife, recreational, scenic, botanical and other resources of these tributaries are equally, if not more, in need of protection than those along the main stem of the Columbia; and that the tributaries are an integral part of what make the Columbia River Gorge so outstanding.

And finally, ONRC supports strong statutory provisions to ensure that the purposes of the legislation are fulfilled. Such provisions are necessary to prohibit further hydroelectric development on any streams, destruction and degradation of wetlands, mineral exploitation and commercial logging on federal lands within the National Scenic Area. Additionally the act should provide for the effective regulation of logging on private lands so as to ensure the protection of scenic and natural values.

In conclusion, Senator Evans, we believe that if the Columbia Gorge is worth preserving--and ONRC strongly feels it is--Congress should act decisively and act soon. Thank you very much for the opportunity to testify.

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Position Statement

Columbia Gorge National Scenic Area

November 1984

Size of Protected Area ONRC supports the boundary proposed by the Columbia Gorge Coalition.

Administration of the Area The National Scenic Area would be administered by the National Park Service, according to statute, with the advice of a Commission.

Commission Composition One from each affected county (6); three appointed by the Governor of each state to represent the interests of conservation (6); and one appointed by the Secretary of the Interior.

Critical Lands All lands in the proposed NSA are critical and should be subject to the power of condemnation. We also support a prohibition of the use of condemnation on homes, farms and grazing lands, unless the existing use is proposed for change.

Management Plan The Act should outline specific criteria to guide the agency and commission in prepartion of the management plan.

Exemptions from Act Only those lands inside of incorporated areas within the State of Washington and urban growth boundaries within the State of Oregon, in existence as of October 1, 1984, should be excluded from the NSA.

Interim Protection The Act should provide for interim protection of all lands in the NSA or NCA until adoption of the management plan.

Fish and Wildlife Protection The findings and purposes of the legislation should include a statement about fish and wildlife, and a specific goal of the legislation should be the protection of Columbia River salmon and steelhead runs.

protecting and conserving Oregon's lands, waters and natural resources

Tributary Stream Protection The following streams should come under the appropriate designation or study provisions of the federal Wild and Scenic Rivers Act.:

Stream Segment	Managing or Study Agency	Provision
Washougal	National Park Service	Study
Wind	Forest Service	Instant
Little White Salmon	Forest Service	Instant
White Salmon	National Park Service	Study
Klickitat	National Park Service	Study
Sandy	Oregon	Instant
Hood	National Park Service	Study
Lower Deschutes	Oregon/USDI (NPS/BIA)	Instant
Lower John Day	Oregon	Instant

Hydroelectric on other Streams A flat prohibition against any and all hydroelectric power projects.

Mining All federal lands in the NSA should be withdrawn from further location, leasing, and/or appropriation under the federal mining laws. Similar activities on private lands should be regulated (and often prohibited) by the management plan.

Logging "Commercial" logging should be prohibited on all federal forestlands. Such activities on private lands should be regulated by the plan and be consistent with the goals of the Act.

Wetland Degradation No further degradation of wetlands should be allowed unless triple compensation is ensured (creation of three times as much as is destroyed).

Senator **Evans**. Thank you.

Mr. Apple, we're talking about a new entity of some kind, at least that's what everyone on this panel has suggested. What about current requirements that new dams go through an increasingly difficult FERC procedure, that timber is subjected to an increasingly restrictive State Forest Practices Act, both in Oregon and Washington, and that there's LCDC in Oregon, the Shorelines Management Act in Washington, the Environmental Protection Act; you know, you could pile the acts and they'd reach from here to the ceiling. Why anymore? I guess the most fundamental question is what's been the most significant actual degradation of the gorge area in the last 10 years? I'm not talking about proposed, or maybe's or what might come. What's actually happened in the last 10 years that's been most significant in terms of degradation?

Mr. **Apple**. I think the severely reduced salmon and steelhead populations is one of the more critical issues that has just gone further downhill in the last 10 years. Overall water quality of the tributaries that feed into the Columbia and direct habitat loss are probably as responsible for that as anything else. Then, overall, residential, creeping development up and down the gorge.

Senator **Evans**. How much residential development do you expect there's been? I don't know about the Oregon side. How about the Washington side during the last 10 years?

Mr. **Apple**. If you're asking me for specific percentages or numbers, I don't have those in my head, sir.

Senator **Evans**. How about on the Oregon side?

Mr. **Apple**. There is a good deal less of it on the Oregon side because so much more of the land is in State and Federal protection, as well.

Senator **Evans**: Now, some of you may have different opinions from others, but many of you are suggesting I think in your written testimony that current areas that are inhabited be left out. In fact, I think that you, Mr. Kerr, in your testimony or in the position statement said that exemptions should include those lands inside incorporated areas within the State of Washington and urban growth boundaries in the State of Oregon. Why the difference?

Mr. **Kerr**. Oregon has, as I understand it, more planning involved in urban growth boundaries. That was somewhat of a personal concern on my part. I'm not thrilled about all the growth that's proposed in the urban growth boundaries, but Oregon's local process has established that. Also, urban growth boundaries can change. Planning is a continuing process. So, when these current urban growth boundaries are full, urban growth boundaries set in the 1980's, there's nothing to restrict going through the local planning process to expand once again.

Mr. **Apple**. Senator, if I might also address that, we are very adamant that those areas be set aside, that those growth boundaries be set as a part of this process and they be maintained for the use of the local citizens who live in the gorge. But, what Andy said is correct, they must be set now as part of this process. Otherwise, as you reach those growth objective goals, all you simply do with the local planning is extend them.

Senator EVANS. Mr. Fahey, I don't know that you'd agree with all of that, would you, since you said you bought a lot in Skamania County that you'd like to——

Mr. FAHEY. I bought a lot in Skamania County. Now, I would like to address the question asked originally.

Senator EVANS. How about if all the members of the Mountaineers wanted to buy a lot in Skamania County? That's 11,000. Would you let them in?

Ms. Roberts: Then we'd just run it.

Mr. FAHEY. If they bought them in developed areas, yes.

Senator EVANS. Is yours in an already developed area?

Mr. FAHEY. Yes, mine is. Mine's in the city of North Bonneville, in an area that has a lot more open space. There's a lot of lots there yet that are available.

But, an example of one of the things that you asked about was the fact that North Bonneville would like to have a portion of the Pierce ranch which was donated to be a wildlife refuge. When I bought my piece of land, on the map that I got from the city of North Bonneville it said wildlife refuge there. But, they are fighting to acquire this piece of land and yet they haven't filled the land they own. There is other land back from the river which could be used to expand the town if expansion of the town were really necessary.

So, I really have to question the choices that people make for land that they want to develop in some cases. It's a lot like the Corps of Engineers wanting to dump spoils on Price and Pierce Islands. So, someone had to come in and buy these to conserve them because they did have plants on them that were rare and endangered.

There are also other very attractive areas in the gorge which have been acquired by the conservancy and the trust for public lands which were subject to development, and these are in general fairly fragile areas. In other words, even now that they have been purchased and protected, there are areas which are unadvertised as places which contain plants which can be threatened by large-scale use. I don't know whether they'll ever be developed to a point where they'll be open to the public or not, but there is a lot of land here and it's very special land.

You talk about the Federal Government having come in and done what has been done here to flood the area, to destroy wetlands, to put in power lines and things like this; and I think that at one point in time in this country we felt that the world was inexhaustible, and I believe that we're coming to realize that the world is not inexhaustible and there are some things that we should give more consideration to. I think that drawing attention to the fact that we have done some things that perhaps weren't the best for the country should remind us that we don't want to perpetuate this and continue it, but we want to change it.

Senator EVANS. You mentioned a couple of problems that are kind of interesting. One, the city of North Bonneville trying to acquire a wildlife refuge. Is that a Federal wildlife refuge?

Mr. FAHEY. It was deeded to the Federal Fish and Wildlife people, yes.

Senator **Evans**. So, the only way it could be changed is if the Federal Government decided they wanted to do that; right?

Mr. **Fahey**. No; there's a court case, I believe, pending. I'm not sure what the status is.

Senator **Evans**. But, in terms of the spoil areas you said had to be bought to keep the Corps of Engineers from doing it, it was a Federal decision that they wanted to use that as a spoil area?

Mr. **Fahey**. I don't know whose decision it was.

Mr. **Jolley**. It was a decision in an impact statement that was written in 1976, that Pierce and Ives Island would be the sites for the disposal of spoils for the new locks.

Senator **Evans**. That's the Federal impact statement.

Mr. **Jolley**. But, then they reopened it and did a supplementary EIS, and that one, the final decision has not been made, but they have opted—they did a workshop and, as a result of the workshop, they opted to leave the choice open to several other sites which would be more suitable. The final site has not yet been selected, I think. But, at least those islands will not be used and they now will become nature conservancy property.

Senator **Evans**. Ms. Bringloe, in your testimony you talk about the infamous Lake Tahoe failure. I've heard from others on the other side of the issue that the Feds got into the Cuyahoga and screwed that up. So, there are apparently all sorts of bad examples as to whether local or Federal agencies in charge can foul up an area. Do you feel that we necessarily or even likely are going to follow other areas in what we do, regardless of how we do it? Or will we make our own way?

Ms. **Bringloe**. I'm confident that by learning from the mistakes of Cuyahoga and Lake Tahoe some legislative package can be created to avoid those areas.

Senator **Evans**. But, doesn't that really show it's not necessarily who runs it that can lead to disaster?

Ms. **Bringloe**. It may seem that way, but an agency such as the National Park Service does have more experience in administering this kind of a mixed-use land than the Forest Service does.

Senator **Evans**. Give me some good examples of the Park Service administering a broad area, 40,000 people living in it, several cities, environmental considerations, fish tributaries, a major river.

Ms. **Bringloe**. Well, of course, the national parks do not necessarily have large population centers and communities within their boundaries.

Senator **Evans**. Isn't that an essential difference?

Ms. **Bringloe**. It is an essential difference, but the Park Service is more experienced in wildlife habitat and, hopefully, in recreation for visitors. I think the recreation aspect for visitors and the creation of an environment that will draw more visitors to this area is a key element in any gorge proposal.

Senator **Evans**. Does anyone on the panel have an example anyplace in the country of a remotely similar situation existing, where there's been a single successful management effort, whether Federal or any other? Are you aware of any other similar situation of an area of this nature that has 40,000 people already living in it, has a clear identity as one that is special in its nature and that requires some help? In other words, where can we look? Or do we have any examples? Jo?

Mr. ROBERTS. I remember as a child driving up to Niagara Falls. The vast difference between the way the Canadian side was run and the American side was very clear. Now, I don't know any of the details of that, but there are certainly a lot of different ways to do it.

Senator EVANS. The difference being——

Ms. ROBERTS. Well, the Canadians made it seem like a park. They took advantage of the natural terrain. The American side was just a mess—Buffalo.

Ms. BRINGLOE. We may be looking at a real, one-of-a-kind situation. I think that's been the basis for much of the problem in coming up with a plan. We don't have a model to look at that has worked. We do have to start from the ground up and make one up ourselves. I know that the Sierra Club, both the national leaders and the ones who live right here in Oregon and Washington, are anxious to work with both delegations to come up with something workable.

Senator EVANS. Well, that's really what I've been trying to get at through all these questions which may have seemed somewhat unrelated. I think you're right, this is unique; and the very fact that it's unique and requires some—you know, hopefully unique efforts means that we ought to quit using Lake Tahoe, the Cuyahoga, or any other place as an example, and start from scratch, start fresh, and not assume that going in any particular direction is doomed to failure. But, start with a fresh outlook and hope that somehow we can come together.

I don't know what kind of testimony we'll get during the remainder of this hearing, but I would be willing to bet that there will be two consistent threads, at least I've heard them in all the testimony so far, which represent a pretty good starting point: One, that it is a unique area for which there is no easy example to look at; second, it is a very special area of unique characteristics; and third, within that area there are very likely some specially critical lands or features which deserve particular kinds of protection. I think almost everybody would get to that point. Then it's once you get to that point that there begins to be some divergence as how you best accomplish the goals. But, if we can ever get to the point where we even agree on the general goals to be achieved, I think we're a long was toward getting where we want to go.

But, I really do believe from what I've heard, both leading up to this hearing in what I've read and studied, and the hearing itself, that we are dealing with something that's unique and we've got to put our efforts to a unique solution.

Mr. MERSON. Could I just make two quick points in response to your questions?

Senator EVANS. Sure.

Mr. MERSON. First, I think we have to, and I think this has created a lot of the controversy that you see here in this room, we have to get out of our minds that when we bring the Federal Government in they're going to come in and do the whole job, the way they do it in a national park or some other traditional example. We're talking about a limited role, I think under any legislation that emerges, for the Federal Government. We really are talking about a partnership. We are talking about a major role for local governments in helping to draft the plan and to be the agency that carries out that plan. They're going to be handing out the permits. Skamania County is going to be administering whatever regulatory process is evolved in this legislation. I think that's important to remember.

The second point is I just wanted to give you a few examples. You asked Bruce Apple, I think, to name some things that were happening.

Senator **Evans**. Yes; or anybody.

Mr. **Merson**. I think if you go up and down the gorge you'll see a lot of gravel pits, and awful lot of them expanding in a way that's certainly had a very great visual impact, especially down near Hood River and White Salmon. If you look at Burdoyne Mountain near White Salmon you'll see subdividing taking place, short platting or even illegal development taking place without any real control. At least that's been my observation. There was a proposal for a port of entry at Wyeth. That was dealth with sort of on a piecemeal basis, there wasn't really one-stop shopping, there wasn't any comprehensive way of addressing that. There was a proposed subdivision that would today be in existence but for a buyout of it across from Multnomah Falls by a conservation organization. There are two other proposed subdivisions in the works now in Skamania County. There's a proposed hydroelectric project that was mentioned earlier.

We're seeing, I think, and you can check the Gorge Commission's reports on this, an acceleration at least in proposals for development. I think we do have a unique opportunity to anticipate those at this point. I think what the local people have said is correct. Up to now I think they've done a fine job in protecting the scenic landscape. We're looking at the future.

Senator **Evans**. Are your saying that hydroelectric development within the Gorge area, per se, is inappropriate?

Mr. **Merson**. No; I don't think that's true. The proposal would actually dry up a 100-foot waterfall. I think there's a real question about that. That's certainly one of the natural amenities of the——

Senator **Evans**. I'm not talking now about any specific proposal, I'm just talking about it in general.

Mr. **Merson**. No, I don't think—well, that raises a good point. I don't think anything is being ruled out in the proposed legislation, S. 627 or anything else. I think all we're talking about is a review process to look at what the impact of a hydroelectric proposal might be. I don't see that being a prohibited activity in the gorge. I think it's something that would certainly be looked at carefully.

Senator **Evans**. Increasingly, of course, with the fish and wildlife plan of the Power Council and the increased FERC, especially now that they've finally agreed they'll start reviewing on a comprehensive basis river basin systems, that may already put in place some of the necessary protections along that line.

What about subdivisions? You mentioned that as a potential problem. Should subdivisions be denied in the future?

Mr. **Merson**. No. I think again it depends on where and how. Right now Skamania County still doesn't have a zoning ordinance.

It does have subdivision regulations and a comprehensive plan. I think there's a real concern, though, that the criteria that are now applied are not sensitive to some of the scenic values we're talking about in this legislation. Once again, I think there are places in the gorge where subdivisions are perfectly acceptable, but others not.

Senator **Evans**. The one that you mentioned which was purchased, as I understand and remember in reading about it, that was one of the first times that had significant architectural and landscape covenants attached to it.

Mr. **Merson**. Yes; that was on the second try. The earlier effort was unsuccessful. The developer did come back and try to do a better job. The problem was the spot he picked was one of the most critical in the gorge—right on the banks of the Columbia, opposite Multnomah Falls. That's probably not a good place for a subdivision, even with controls.

Senator **Evans**. What's the problem even if it's on the banks of the Columbia and across from Multnomah Falls? I guess the fundamental question is so what?

Mr. **Merson**. Well, I guess we are talking——

Senator **Evans**. What is the degradation that goes along with that?

Mr. **Merson**. I guess it's a subjective degradation in a sense, it's an aesthetic impact that would be felt by those who visit Multnomah Falls and come to have at least an experience of the gorge in a relatively natural state at that point. We're not talking about the urban areas now, we are talking about undeveloped land that's visible from Multnomah Falls.

Senator **Evans**. If I'm at Multnomah Falls, I'm not looking across the Columbia, I'm looking at Multnomah Falls.

Mr. **Fahey**. Until you turn around.

Senator **Evans**. But, if you turn from Multnomah Falls and look across the Columbia to the subdivision, you've got to look across the freeway on the Oregon side to see it.

Mr. **Merson**. Well, actually, I'd ask you to do one thing, if you have a chance, while you're here in the gorge. If you could travel up some of the roads, the amazing thing about the gorge to me is the freeway, believe it or not, and most of the urban development is not visible as you go up higher in the gorge and look across. You have the experience—it's not a wilderness area and nobody's arguing it is a wilderness area, but you have the experience of a relatively pristine natural area, and I really think that's what this battle is about, the natural world that does exist here in the gorge as perceived by those who come here.

That has to be balanced against economic concerns. But, I think you will find that in spite of the freeway, in spite of the railroads, in spite of the development that has taken place, this is still largely a place of great natural beauty.

Mr. **Kerr**. May I speak to that?

Senator **Evans**. Yes.

Mr. **Kerr**. I find this discussion you're leading very challenging and fascinating at the same time. In regard to hydroelectric, I think it is appropriate to simply say there should be no further hydroelectric development in the tributaries in the Columbia. I say that because hydroelectric power, as you well know, has been the primary source of energy in the Northwest. I don't think we should consider new projects an alternative source of energy, and especially when we're talking about the sensitive streams which have anadromous fish values, or the waterfalls which have scenic values. Those are nice places to build dams, technically.

You're absolutely right. I don't like the parking lot at Multnomah Falls. I think what we have here is what if somebody came in and scratched the Mona Lisa; would we throw it out? I don't think so. I think we'd feel bad, we'd say we don't want it to be scratched anymore. The gorge is pretty scratched up: several dams, interstate highway, a couple of U.S. highways, a couple of railroads, power lines, ugly service stations, houses, all those things. But, it's still an outstanding, special place.

What is left of it? The wildlife, the fish, the botanical, the scenic, the recreational resource, what is left of it needs protection. It seems like we can't let ourselves get into the trap because damage has occurred to date, that it's not worth saving the rest.

Senator EVANS. I think that's probably a statement that would have pretty general agreement from almost everybody who's here. The real question then is, How can that best be done, and is it impossible to do it cooperatively, and locally or at the State level; or do you feel it's just easier to do it because if you do it at the Federal level you only have one group to deal with?

Mr. KERR. Easier is part of it. I think, though, a lot of people who are concerned about the gorge have looked at the history of experience. They've tried; there've been gorge commissions, there've been local jurisdictions, there've been efforts. What there hasn't been is a shot from the Feds. Maybe the Feds will blow it, too. But, we ought to give it a shot. I think it is possible to bring something together. It is not going to be without continued dissension, and strong and sincere differences of opinion. But, I think I could speak for the entire environmental and conservation community in saying we're willing to work with it. I think we do, however, feel that the Feds have to be part of it and a strong part of it.

Unfortunately, Senator, that's the job you were elected and paid to do, as you know. You're in the hot seat. I'm looking forward to your leadership on this issue to bring these differences together. I think you know we're all sincere here, we sincerely disagree. The role of the Congress is to bring those together so everybody says, oh, that wasn't so bad.

Senator EVANS. That's right. That's what we're trying to do. That does not necessarily always result in Federal legislation, however.

Mr. JOLLEY. Could I say one thing?

Senator EVANS. Yes.

Mr. JOLLEY. About the developments across from Multnomah Falls and developments along the Columbia River shore, what we have there now is a rural landscape. There are homes scattered throughout the area, but it's basically rural. If you drive along the freeway at night and look across the river, you don't see lights, dense lights. If we have one development after another of these close, rather dense developments, it's just going to be an extension of the city and it's going to lose that beautiful, rural character. That's the problem, I think, as far as I'm concerned.

Senator EVANS. OK. Well, this is interesting and we ought to continue, but we'd better move on. Thank you very much. We'll now move on to a business community panel; and would the next panel, No. 2 of environmental, Pam Crocker-Davis, Mike Houk, Margaret Haggin, Richard Rutz, Lynn Herring, and Andy Stahl take their places down below.

All right, we're going to have to begin to move fairly rapidly here. I would once again encourage you, it would be very helpful both to the hearing as well as to the ultimate report if there are those who feel their written testimony would be sufficient, they will reduce from the number of 140 witnesses yet to go.

So, with that, Rudy Hegewald, Stevenson Chamber of Commerce.

STATEMENT OF RUDY M. HEGEWALD, PRESIDENT, SKAMANIA COUNTY CHAMBER OF COMMERCE

Mr. HEGEWALD. I'm going to cut mine short in the interest of time. I've also go a frog in my throat, all day today.

My name is Rudy Hegewald. First of all, as president of the Skamania County Chamber of Commerce, I want to extend a warm welcome to you, Senator Evans, and all the guests. Skamania County is a county of gracious and hospitable people, and we are glad that you came to listen to us.

I have served during 1984 as president of the Skamania County Chamber of Commerce. I'm deeply concerned about the welfare of the communities of our county over the stigma of Federal takeover of Skamania County. This has put the chamber of commerce in an awkard position to bring any light industry or development to the county for fear of Federal takeover. The land in Skamania County is limited for industrial expansion. The largest percentage of land is owned by the Federal Government, 15 percent owned by the State of Washington, and the remaining 10 percent is private ownership. If the Federal takeover is planned by the U.S. Congress, it should have a very strong local voice with the U.S. Forest Service in setting guidelines in the management of the gorge. The Forest Service should be only in an advisory capacity.

Thank you for coming to Skamania County, Senator Evans. The people of Skamania County would be grateful if you could persuade your colleagues in Congress to support strong local control for the Columbia River Gorge.

Thank you.

[The prepared statement of Mr. Hegewald follows:]

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R. M. HEGEWALD,
Chamber President
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PEARL NEELY, Chamber
Executive Director.
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NOVEMBER 8, 1984

TO: HONORABLE DAN EVANS,
UNITED STATES SENATOR - WASHINGTON STATE

RE: TESTIMONY PRESENTED AT NOVEMBER 8, 1984 - MEETING ON THE COLUMBIA RIVER GORGE.

HONORABLE SENATOR AND LADIES AND GENTLEMEN: MY NAME IS RUDY HEGEWALD.

First of all, as President of the Skamania County Chamber of Commerce, I want to extend a warm welcome to you, Senator Evans, and to all of the guests. Skamania County is a county of gracious and hospitable people and we are glad that you came to listen to us today.

I would like to tell you something about my background and my interests.

I am an immigrant to the United States of America from Germany in 1925. I lived in the midwest for 2 years when I saw an ad on a billboard -- "GO WEST YOUNG MAN" by Horace Greely. I took his advice and move West and by the Grace of God I arrived in Stevenson, Washington in 1927. I have been a taxpayer of Skamania County ever since. I met a local girl in 1933. We got married and together we have raised six children. Five of our children live here in the Gorge, as well as many of our grandchildren. Last year my wife, Helen, and I celebrated our 50th Wedding Anniversary here in this building which is built on the 18 acres of land which we donated to Skamania County for Park and Fair purposes.

Through hard work and perserverance over the years, I built and owned two sawmills and two veneer plants and employed about 250 people. I sensed the unstability of the L[illegible]er Industry in the early 1970's -- the rising log prices and that the competition was getting worse. I had an opportunity to sell out to the Louisiana Pacific Company in 1973. Two years later, Louisiana Pacific closed the plant down and put 250 persons out of work. That was a blow to the economy of this County of which the County has never recovered.

TESTIMONY CONTINUED ON THE GORGE
NOVEMBER 8, 1984 - by R. M. HEGEWALD

I have always been interested in community affairs. I served 25 consecutive years on the school board. Last year I was again elected for another 4 years.

I have served during 1984 as the President of the Skamania County Chamber of Commerce. I am deeply concerned about the welfareof the communities of our County over the stigma of federal takeover of Skamania County. This has put the Chamber of Commerce in an awkward position to bring any light industry or any development to the County for fear of a federal takeover.

The land in Skamania County is limited for industrial expansion.

The largest percentage of the land is owned by the federal government.

Fifteen per cent of the land is owned by the state of Washington. The remaining 10 per cent is in private ownership.

If the federal takeover is planned by the U.S. Congress, it should have a very strong local government voice with the U.S. Forest Service in the development and the management of the Gorge. The U.S. Forest Service should serve in a advisory capacity only.

Thank you for coming to Skamania County, Senator Evans. The people of Skamania County would be grateful if you will persuade your colleagues in Congress to support strong local control of the Columbia River Gorge.

THANK YOU.

R.M. Hegewald
R. M. HEGEWALD

RMH:pn

Senator **Evans**. Thank you, very much, Rudy.

Next, Pearl Neely, Stevenson Chamber of Commerce.

STATEMENT OF PEARL NEELY, SKAMANIA COUNTY CHAMBER OF COMMERCE

Ms. **Neely**. In the interest of time, Rudy Hegewald just gave the remarks for the chamber of commerce, as the president of the chamber of commerce. If there's any additional remarks to be sent in, I'll just mail them in and yield my time.

[The prepared statement of Ms. Neely follows:]

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PEARL HALL-NEELY
520 Belaire Street,
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Stevenson, Washington 98648

November 18, 1984

HONORABLE DANIEL J. EVANS, (R)
UNITED STATES SENATOR - WASHINGTON STATE
702 HART SENATE OFFICE BUILDING
WASHINGTON, D. C. 20510

RE: COLUMBIA RIVER GORGE - LAND USE MANAGEMENT - "NEW IDEA"

DEAR SENATOR EVANS:

Respectfully submitted for your perusal is the following "new idea" on the above-captioned subject. Please enter this testimony in with the November 8, 1984 Congressional Hearing Testimony taken at Stevenson, Washington from 9 a.m. to 11:20 p.m.

NEW IDEA

COLUMBIA RIVER GORGE
nonprofit corporation

1. Explore the possibility of forming a COLUMBIA RIVER GORGE NONPROFIT CORPORATION for the sole purpose of adopting rules and regulations for the land use management of the Columbia River Gorge lands on both sides of the Columbia River -- covering an approximate stretch of land on the Washington and Oregon shores of about 85 miles.

    a) Elected government officials from all four (4) levels of government would be the logical persons for the governing Board of Directors. (Please see attached "Exhibit A", attached hereto.)

    b) STAFF/OFFICE: The corporation should have an office located in the heart of the Columbia River Gorge in close proximity to Gorge Counties and to metropolitan Washington/Oregon cities ... close to the international airport for convenience. I believe the location of the office should be in Skamania County, Washington (the targeted county of the Gorge) for the following reasons: Skamania is a centralized location. It is the county that is the highest in unemployment and the office and staff would bring a payroll into a county of great need. (Please see Exhibit "B" attached.)

    c) FUNDING: The initial funding for the formation of the nonprofit corporation and the establishment of an office/staff, should come from all levels of government grants. Possibly Congress should allot a special allocation for this worthy cause. The Tourism potential of the Gorge Counties is the envy of all ... and the benefit to all government/private business alike.

    d) ADVISORY COMMITTEE: An advisory committee composed of all interested groups government/private business ... the regular Departments that are already in place could be called upon by the corporation's board of directors.

PEARL HALL NEELY
P. O. Box 421,
Stevenson, WA. 98648

RE: COLUMBIA RIVER GORGE
NEW IDEA - PROPOSAL

November 18, 1984

Page 2.

I am thinking of the Department of Commerce & Economic Development, (WA/OR), the U.S. Commerce Department, Chambers of Commerce in the Gorge, U.S. and State Forest Services, Parks and Recreation Services of the State and Nation, and a multitude of other interested groups ... many of whom testified at the November 8th Hearing.

I see this group as an advisory group only. They would have no vote. They would serve the Board of Directors as the Board deems advisable.

e) IMPLEMENTATION/ADMINISTRATION: The rules and regulations as set up by the Columbia River Gorge Management Corporation could be administered by each of the Gorge counties/cities elected governments and those heads of departments of the local governments ... with the CRG Management rules and regulations taking priority over any other laws if there were a conflict.

JUSTIFICATION OF THIS NEW IDEA

I respectfully suggest that the only solution to the management of a diverse expanded area such as the Columbia River Gorge which encompasses two states, 6 counties and several city governments, within the United States of America, would be one that would encompass the voice of all governments ... not just one.

Elected officials are suggested because they are the only ones I could think of that would meet with approval of all the various groups who have varying ideas of how the Gorge should be governed and who should serve on whatever board/commission that is delegated to do the job. The reason the elected officials are the best choice is that the electorate chose them. Through these officials they have a voice and an ear.

I can see that the elected officials who might find meetings hard to attend, could delegate this responsibility to one of their aides, but they still would have the ultimate responsibility for the overall decision.

RESPECTFULLY SUBMITTED,

Pearl Hall-Neely
PEARL HALL-NEELY

ATTACHEMENTS - Exhibit A and Exhibit B.

COLUMBIA RIVER GORGE
MANAGEMENT CORPORATION
(SUGGESTED NEW IDEA)

PEARL HALL-NEELY

November 18, 1984

EXHIBIT "A"

SUGGESTED: COLUMBIA RIVER GORGE MANAGEMENT - BOARD OF DIRECTORS:

(Each elected official would have 1 vote)

FEDERAL (Gorge area)		Gorge STATE (WA/OR)		Gorge COUNTIES (Commissioner Chair)		Gorge CITIES (Mayors)	
WASHINGTON	OREGON	WASHINGTON	OREGON	WASHINGTON	OREGON	WASHINGTON	OREGO
1 US SEN.	1 USS	1 Senator	1 Sen.	Klickitat	Wasco	White Salmon	The Dalles
1 US Repr.	1 US Repr.	2 Repr.	2 Reps.	Skamania	Hood River	Bingen	Hood River
		Gov.	Gov.	Clark	Mult.	Carson	Cascade Locks
						Stevenson	Corbett
						North Bonneville	Trout Dale
						Washougal	

(elected officials from all 4 levels of government which pertains to the GORGE)

EXHIBIT "B"

SUGGESTED: STAFF FOR THE COLUMBIA RIVER GORGE MANAGEMENT OFFICE
IN THE HEART OF THE GORGE

1	Executive Director		- responsible to the Board of Directors.
1	Administrative Assistant		- responsible to the Exec. Dir./Coordinator
2	Field Representatives (WA/OR)		- to work with county/city Gorge government responsible to the Board of Directors.
2	professional secretaries	(WA/OR)	- to assist the office staff.
1	receptionist	(WA/OR)	- to handle reception desk/telephones.
1	file clerk	(WA or OR)	- to take charge of files/records.
1	Certified Public Accountant		- Budget Officer/Tax Matters, bookkeeping, etc.

* * *

Senator EVANS. Thank you, very much.

Those written comments, I'd just continue to emphasize, really do represent the heart of what we're all about, to have that in front of us so that we can then begin to work on just what we're trying to achieve here.

Next, Paul McHugh, Washington Association of Realtors.

STATEMENT OF PAUL McHUGH, CHAIRMAN, LAND USE/PROPERTY RIGHTS SUBCOMMITTEE, LEGISLATIVE COMMITTEE, WASHINGTON ASSOCIATION OF REALTORS

Mr. McHUGH. Thank you, Senator Evans. The Washington Association of Realtors does appreciate the opportuntiy you've given us to present the position of the association. I'm serving the association as chairman of the Land/Property Rights Subcommitte of the Legislative Commitee of the Washington Association, and I represent today 11,000 members of the Washington Association. In addition to the Washington Association, I have submitted to your staff letters supporting our position from the National Association of Realtors and also the Oregon Association of Realtors.

As you pointed out yourself earlier in the hearing today, there currently are no issues before the Senate. But, we certainly know that probably the Packwood bill and perhaps certainly the Governors' proposal will be coming up again. So, instead of trying to dig into those issues, as I think a lot of speakers already have, I would like to state that the 11,000-member-strong Washington Association of Realtors is opposed and will continue to remain opposed to any proposed Federal legislative intervention in the Columbia River Gorge.

At issue I think we have a fundamental principle, that of individual rights; specifically the right to live where one chooses, No. 1, and the right to own property and use that property. We all know that property rights and local control form the foundation of democracy and these are really the rights that are in contention here today. It's the feeling of the association that rights to property in the gorge will be placed in jeopardy if some sort of Federal solution to this perceived problem is put in place. Owners are certainly going to face the possible threat of outright loss of their property through condemnation if they're classified critical, and they certainly are going to face curtailments of the use of their property and restriction of its use through regulations and controls. Curtailment and containment of growth, coupled with general uncertainty, are bound to accompany such proposals, and that will most likely result in further stagnation of the area. As speakers have already pointed out, the economy here is currently not very strong at this time.

I think what we have and have had before us in the past and will have in the next session are a couple of very heavyhanded approaches to a perceived problem, and I want to stress "perceived." Regionwide planning in general is going to be a difficult task and a time-consuming political process, especially in the unique circumstances we find ourselves in at the Columbia River Gorge. Planning for this region with its special environmental problems that have been pointed out will really compound the difficulties. Federal preemption of local land use control is not and cannot be the solution.

Washington State already has in place many mechanisms to protect every facet of the environment of the State, including the environment of the Columbia River Gorge. We're already dealing with a number of things the legislature has enacted, the Planning Enabling Act, the Shorelines Management Act, the State Environmental Policy Act, Platting and Subdivision Law, Open Space Act, and the statewide health code. In addition, the department of community development has been created as a coordination and planning agency to provide financial and technical assistance to the communities of the state to assist in community planning and development. This department could also provide a formal vehicle for intergovernmental coordination of state and local plans, since there are a number of local governments in the area of concern.

I think really the solutions to the question of management of the gorge are already in hand, and those solutions are in place. They're either working or can be made to work. Crisis-oriented Federal action is not the answer. Direct Federal intervention is not feasible technically or politically and the association is concerned about its constitutionality.

In closing, I would like to state that in representing the association here today I'm neither a property owner nor live in the gorge, and also I don't live in the Vancouver-Portland area. I must say in listening to some of the testimony that's been put forth, I think we have a rather callous attitude toward the residents of this beautiful area. I think they have the tools at hand, as I've pointed out in the association's statement, to make the right type of land use decisions for the area to continue to allow it to grow economically, while at the same time preserve its natural beauty. They've done a very good job of it, in my opinion, in the past and I think it would be a real shame to preempt the work that they've done, and take the responsibility away from the people that have made, truly, sacrifices to live in this very nice area.

Thank you, Senator Evans.

[The prepared statement and additional material submitted by Mr. McHugh follows:]

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Washington Association of REALTORS®

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TESTIMONY OF PAUL MCHUGH, REPRESENTING THE WASHINGTON ASSOCIATION OF REALTORS® AT THE SENATE HEARING CHAIRED BY SENATOR DAN EVANS ON THE PROPOSED FEDERAL LEGISLATION ON THE COLUMBIA RIVER GORGE, STEVENSON, WASHINGTON, NOVEMBER 8, 1984.

My name is Paul McHugh, and I am the Chairman of the Land Use/Property Rights Subcommittee of the Legislative Committee, Washington Association of REALTORS®. I have been asked to represent the Association, 11,000 members strong, at today's hearing. In addition I have with me letters supporting the Washington Association position from the National Association of REALTORS® and the Oregon Association of REALTORS®. We thank you for allowing us to express our views to you on this important subject.

The Columbia River Gorge, renowned for its scenic beauty, is without question a glorious landscape of unusual dimension and appeal. Historically the gorge was of paramount importance as a passageway, rendezvous and fishing grounds. Today the gorge serves as a major transportation corridor and hosts towns and cities, an agricultural, industrial and commercial economy as well as public lands and numerous recreational opportunities.

Development in the gorge has taken place at a relatively slow pace due to both lack of demand and the physical limitations of the area. But there are those who believe that growth on a scale heretofore unknown is imminent. The Portland-Vancouver metropolitan area is growing now and is projected to continue to grow in the future. The new bridge across the Columbia River extends the time/distance ring and places the gorge within commuting distance of Portland and Vancouver. Development pressures on the area will intensify if more people choose to live in the gorge. The question then, as many see it, is this: How is this area to be protected--before there is really a problem?

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The issue of management of the Columbia River Gorge is slated to reach the floor of the U.S. Senate soon. Two measures, each using a different approach to the goal of implementing a comprehensive management plan, have been introduced. The objective of both would be the "protection, development, conservation, and enhancement of the scenic, natural, cultural, and other resource values ..."

The first, sponsored by Senators Hatfield and Packwood of Oregon, would create a Columbia River Gorge National Scenic Area and incorporate the area into the national forest system. Major responsibility for preparing and administering a management program would rest with the U.S. Forest Service (USFS).

The second proposal, introduced by Washington Senator Slade Gorton at the behest of Governors Spellman and Atijeh, would place the authority to prepare, adopt, implement and enforce a unified management plan for the Gorge with a fourteen-member regional commission composed primarily of citizens and elected officials from the gorge area.

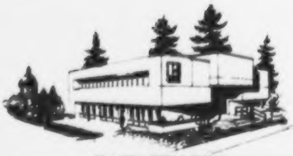
The 11,000 member-strong Washington Association of REALTORS® is opposed to both proposed bills and to any and all federal legislative intervention in the Columbia River Gorge. At issue is a fundamental principle, that of individual rights, specifically the right to live where one chooses, the right to own and use property and the right to local representative control. Property rights and local control form the foundation of democracy and these are in contention here today.

There is no denying that the area in question is a magnificent landscape. There must also be no denying that the area is predominantly privately owned and that 40,000 people live and work there. The life style is rural, the economic activities are resource-based. As in most rural communities, property is the chief form of private wealth. The rights to that property are placed in jeopardy and greatly threatened by the proposed federal "solution." Property owners would face the threat of outright loss of their property through condemnation if it were classified "critical". They would face certain curtailment of and restrictions on the use of their property through regulations and controls. Curtailment and containment of growth, coupled with the general uncertainty bound to accompany such a proposal, will most likely result in the further stagnation of the area.

We sense an attitude of callousness toward the residents of the gorge. They have chosen to live, work and own property in a scenic, special place and they are being penalized for that choice. What confronts us here is the clash of conflicting values, differing philosophies and world views between the preservationist--elite, educated and urban, wanting centralized control of certain areas--and the local rural resident of those certain areas. Many land use problems arise in rural areas where the balance of power at the local level is unfavorable to planning so the conflict escalates to a higher level. The state or federal government is called on for action regardless of the nature of the problem and the technically feasible solutions available because policy changes could not be won at the local level. That is the situation which confronts us at this time in the Columbia River Gorge.

What you have before you are two heavy-handed approaches to a perceived "problem". Regionwide planning, in general, is a difficult technical task and a time-consuming political problem. Planning for a region with special environmental problems compounds the difficulties. Federal preemption of local land use control cannot be the solution. Washington state has in place the mechanisms to protect every facet of the environment. The legislature has enacted the Planning Enabling Act, the Shoreline Management Act, the State Environmental Policy Act, Platting & Subdivision law, the Open Space Act and the statewide health code. In addition, the Department of Community Development was created as a coordination and planning agency to provide financial and technical assistance to the communities of the state and to assist in community planning and development. The department could also provide a formal vehicle for intergovernmental coordination of state and local plans.

The solutions to the question of management of the gorge are in hand, in place and either working or can be made to work. Crisis-oriented federal action is not the answer. Direct federal intervention is not feasible technically, politically and perhaps not constitutionally.



The REALTOR® Building

Washington Association of REALTORS®

Suite 200 • 504 East Fourteenth
Post Office Box 719 • OLYMPIA, WASHINGTON 98507
(206) 943-3100

November 8, 1984

Senator Dan Evans
Energy and Natural Resources Committee
702 Hart Senate Office Building
Washington, D. C. 20510

Re: Columbia River Gorge Legislation

Dear Senator Evans:

On behalf of the Washington Association of REALTORS® I would like to thank you for the opportunity to present our position regarding the proposed Columbia River Gorge legislation. Paul McHugh, Chairman of the Land Use/Property Rights Subcommittee, will present oral testimony on behalf of the Association as I am unable to attend today's hearing.

Both the National Association of REALTORS® (600,000 members) and the Washington Association of REALTORS® (11,000 members) are opposed to any attempt by Congress to impose a federal legislative "solution" in the Columbia River Gorge. It is our unswerving position that land use planning authority remain at the local level. As I am sure you are aware, adequate controls relative to land use planning are already in Washington law, as are statutes addressing all aspects of the environment. The heavy Federal hand is simply not required.

Attached for your information is our detailed position statement. We would ask that you support the best alternative, which is already in place and working--local land use control.

Thank you for the opportunity to make our position known to you.

Sincerely,

Dennis Johnson

Dennis Johnson
President

DJ:SE:eb 5920

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NATIONAL ASSOCIATION OF REALTORS®
Donald H. Treadwell, President
Jack Carlson, Executive Vice President

Albert E. Abrahams, Senior Vice President, Government Affairs
Gil Thurm, Vice President & Legislative Counsel, Government Affairs

777 14th Street, N.W., Washington, D.C. 20005-3271
Telephone 202 383 1000

October 31, 1984

The Honorable Daniel J. Evans
United States Senate
Washington, D.C. 20510

Dear Senator Evans:

The NATIONAL ASSOCIATION OF REALTORS® wishes to take this opportunity to express our support for the position taken by the Washington Association of REALTORS® with respect to the proposed Columbia River Gorge legislation.

We agree that neither the Columbia River Gorge Act introduced by Senators Packwood (R-OR) and Hatfield (R-OR) in 1982 nor the Governors' proposal introduced by Senators Gorton (R-WA) and Hatfield (R-OR) in August of 1983 equitably deals with the rights of private property owners residing within the Gorge area. Although the Governors' proposal would place control of the Gorge in the hands of a regional commission rather than the federal government (as proposed under the Packwood/Hatfield legislation), both bills would nonetheless restrict local control over land use in the area and inhibit the ability of cities, counties and citizens within the Gorge to control their own destiny.

The NATIONAL ASSOCIATION OF REALTORS® concurs with the Washington Association of REALTORS® on the following points:

- Land use control in the Columbia River Gorge should be left up to the existing state and local authorities. Congress must recognize and respect the fact that land use and zoning decisions are the exercise of powers constitutionally reserved to the states and their local governments. Private property owners can best be represented at the local level.

- The Governors' proposal would place far too much power in the hands of the regional commission. That commission should not have the power to condemn land. If an owner wishes to sell his property, he should be paid a fair market price that is determined without new strict land use controls in place.

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- The Governors' proposal does not sufficiently recognize pre-existing uses in the Gorge. These uses must be allowed to continue or expand without being threatened.

- No one has clearly demonstrated that a need actually exists for strict regional control of the Gorge. The state of Washington already has a number of statutes in place which provide adequate controls for protecting the environment.

- The Governors' proposal does not contain adequate methods to ensure that all property owners would be notified of the actions and authority of the commission. Adequate notice is critical to the planning process.

- The constitutional rights of private property owners must not be abridged. An indirect condemnation of private land is often the result of current government acquisition and land use policies. From the private property owner's perspective, present and future uses and values are frequently diminished with no prospect of compensation forthcoming.

For the reasons cited above, we join the Washington Association of REALTORS® in urging you to oppose both the Packwood/Hatfield legislation and the Governors' proposal providing for regional control of the Gorge. Neither of these bills gives adequate consideration to the rights of private property owners who hold land within the Gorge area.

The NATIONAL ASSOCIATION OF REALTORS®, representing over 600,000 real estate professionals nationwide, appreciates your consideration of our views in this matter.

Sincerely,

Albert E. Abrahams

Albert E. Abrahams
Senior Vice President
Government Affairs

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OREGON ASSOCIATION OF REALTORS®

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OCT 22 1984

October 19, 1984

Senator Daniel Evans
U.S. Senate
State of Washington

Dear Senator Evans:

I will be unable to attend your important hearing regarding the Columbia River Gorge Issue, on November 8 in Stevenson Washington. The Oregon Association of REALTORS is very concerned with the proposals before Congress which will impose federal control over the Gorge. I respectively request that the attached position statement, from the Oregon Association of REALTORS regarding the Gorge, be entered into the hearing record. Thank you.

Sincerely,

Jerry Fuller

Jerry Fuller
President

JF/BM/dk
dk2/29

Enclosure

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POSITION STATEMENT ON THE COLUMBIA RIVER GORGE

The Oregon Association of REALTORS is opposed to the creation of a Columbia River Gorge Commission for the protection, conservation, enhancement, and management of the Columbia River Gorge. The proposed legislation is a duplication of Oregon's nationally recognized land use planning efforts to protect and enhance our natural resources.

Oregon's landmark land use legislation, SB 100, was enacted in 1973. ORS 197 010 established legislative policy that states:

> The Legislative Assembly declares that, in order to assure the highest possible level of liveability in Oregon, it is necessary to provide for properly prepared and coordinated comprehensive plans for cities and counties, regional areas and the state as a whole. These comprehensive plans:
>
> (1) Must be adopted by the appropriate governing body at the local and state levels;
> (2) Are expressions of public policy in the form of policy statements, generalized maps and standards and guidelines;
> (3) Shall be the basis for more specific rules and land use regulations which implement the policies expressed through the comprehensive plans;
> (4) Shall be prepared to assure that all public actions are consistent and coordinated with the policies expressed through the comprehensive plans; and
> (5) Shall be regularly reviewed and, if necessary, amended to keep them consistent with the changing needs and desires of the public they are designed to serve.

The Land Conservation and Development Commission was established to implement the land use planning law. The commission enacted 19 statewide planning goals and guidelines that each city and county must comply with in their local comprehensive plans.

Goal 5 relates to open spaces, scenic and historic areas, and natural resources. The goal is to conserve open space and protect natural and scenic resources. The implementation of the goal includes:

- Significant natural areas that are historically, ecologically or scientifically unique, outstanding or important, including those identified by the State Natural Area Preserves Advisory committee, should be inventoried and evaluated. Plans should provide for the preservation of natural areas consistent with an inventory of scientific, educational, ecological and recreational needs for significant natural areas.

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- Local, regional and state governments should be encourgaged to investigate and utilize fee acquisition, easements, cluster developments, preferential assessment, development rights acquisition and similar techniques to implement this goal.

- State and federal agencies should develop statewide natural resource, open space, scenic and historic area plans and provide technical assistance to local and regional agencies. State and federal plans should be reviewed and coordinated with local and regional plans.

The Oregon Association of REALTORS would submit that Oregon's efforts refute items 6, 10, 12 and 15 in the "Findings Purposes and Policies" of the proposed legislation which state:

> (6) the scenic, historic, recreational, archaeological, and scientific qualities of the Gorge, particularly those located in the most sensitive and critical lands within the Gorge, are now threatened by rapid population growth in the nearby Portland-Vancouver metropolitan area and by largely unplanned development;
>
> (10) there are more than fifty local, state and federal agencies presently exercising governmental authority in the Gorge which have widely divergent regulation and policies governing development, management and protection of the Gorge;
>
> (12) the rapid and unchecked urban and suburban development and lack of coordinated planning and authority within and adjacent to the Gorge constitutes an immediate threat to the preservation of this unique national resource and threatens to degrade or contribute to degradation of Groge area;
>
> (15) federal and state government agencies and local governments currently lack the financial and technical resources and areawide planning authority necessary to protect and enhance the unique resources of the Gorge and to resolve existing government agencies and citizens involved in developing, planning for, protecting and enhancing the Gorge;

Another serious conflict of the proposed legislation with Oregon's land use program is the Management Plan for the area.

A 23-member commission would be created to adopt and enforce a management plan for the Gorge. The commission would be required to adopt interim guidelines within six months. Any regulated land management activity would be required to be reviewed by the commission under the interim guidelines. The commission would have veto power over any federal, state or local permit or approval. This would involve a 60-day review process over and above the processing time of the normal permit issuing federal, state or local agency. The land management activities subject to review are defined very broadly and include construction, modification or location of any buildings, zone changes, subdivisions or other permits; sand or gravel extraction; roadbuilding, timber harvest; etc.

Oregon's statewide land use planning required revision to satisfy public concerns, as evidenced in 1982 by Ballot Measure 6 and the report from the Governor's Land Use Task Force.

Members of the Oregon Legislature have made final policy decisions on HB 2295, a comprehensive bill designed to answer public concerns about the land use planning process in Oregon.

The legislature's major task was to modify the planning process to reflect the public's desire for greater overall speed and efficiency. The legislature's emphasis on streamlining would be felt throughout the planning process. All comprehensive land use plans must be acknowledged by July 1, 1984; local governments failing to meet this deadline may face withholding of state-shared revenues. Once all plans are acknowledged, land use decisions should move forward much more quickly in cities and counties.

The federal legislation requiring the development of implementation plans and a 60 day review process defeats our efforts to respond to our citizens on improving our program.

Oregon has met our responsibility in the management of the Gorge within our boundaries. Our efforts are recognized throughout the nation. Any effort to superimpose federal land use law over our own law is a costly and unnecessary duplication of effort and should be rejected.

REALTOR®

VANCOUVER-CLARK COUNTY BOARD OF REALTORS®
4420 N.E. ST. JOHNS ROAD, VANCOUVER, WASHINGTON 98661 PHONE (206) 695-5980
affiliated with
Washington Association of REALTORS, Inc.
National Association of REALTORS

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NOV 5 1984

November 1, 1984

Ms. Shirley Edmondson
Washington Association of REALTORS
P.O. Box 719
Olympia, WA 98507

Dear Shirley:

This letter is to recap for you the position of the Clark County Board of REALTORS on the issue of Federal Control of the Columbia River Gorge.

As you know, our Board strongly supports the personal property rights of the residents of the Gorge, and we feel that the control of the Gorge should remain in local hands. We are totally opposed to any Federal Control in the Columbia River Gorge.

We are strongly dedicated to the belief that the best decisions for the Gorge can be made by those living and working there on a daily basis.

If you should need any further information, please feel free to call me, 695-5980.

Sincerely,

Mari Stephenson

Mari Stephenson, E.O.
Clark County Board of REALTORS

MS/lac

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ATTENTION: Senator Dan Evans

POSITION STATEMENT ON THE COLUMBIA RIVER GORGE

The following position statement on the Columbia River Gorge was adopted by the Board of Directors on June 24-25, 1983.

The Washington Association of REALTORS® has opposed the Packwood and Hatfield legislation since early 1982. Those bills would have placed the gorge under control of a federal agency. The new Joint Proposal by the Governors of Washington and Oregon would purport not to be "federal control" since a bi-state commission would control land use in the gorge area. However, this association sees little difference between the Hatfield/Packwood bills and the Governors' Proposal. Each of these bills being unwarranted and unjustified, would eliminate local control and the ability of those cities, counties and citizens to control their own destiny.

Our position is summarized as follows:

- Land use control in the Columbia River Gorge should be left up to the existing state and local authorities who can assess the needs of the community, citizens and property owners. Private property owners can best be represented at the local level.

- The Governors' Proposal would place far too much power into the hands of the 23-member commission. That commission should not have the power to condemn land. If an owner wished to sell he should be paid a "fair market price" that is determined without new strict controls in place.

- The proposal does not sufficiently recognize pre-existing uses in the gorge. These uses must be allowed to continue and expand without being threatened.

- Neither the Governor of Oregon nor Washington have adequately explained that in fact a need exists for such strict regional control. Governor Spellman must surely be aware of the existing Washington statutes designed to protect every facet of the environment. Adequate controls already available include:

RCW 58.17 Platting and Subdivision;
RCW 36.70 Planning and Enabling Act;
RCW 43.21C State Environmental Policy Act;
RCW 90.58 Shoreline Management;
RCW 58.19 Land Development Act;
and many others.

- Questions of Constitutional authority have been raised regarding the Governors' Proposal. To date these questions have not been responded to publicly.

- Interim controls and/or moratoriums should not be a part of the planning process for the gorge area except in situations where conditions would be inimical to the public health.

- The proposal does not contain adequate methods to ensure that all property owners would be notified of the actions and authority of the commission. The Washington Association of REALTORS® considers adequate notice to be a critical part of the planning process.

- The constitutional rights of private property owners must not be infringed upon. An indirect condemnation of private land is often the result of current acquisition and land use policies. From the private property owner's perspective, present and future uses and values are frequently diminished with no prospect of compensation forthcoming.

- The Washington Association of REALTORS® will continue to oppose any legislation that does not adequately consider and protect the right of the private property owner. Our position on the Columbia River Gorge is supported by the 600,000 member National Association of REALTORS®.

Very truly yours,

Martha Carr

Martha Carr
Twin Harbor Board of Realtors
President

Senator EVANS. Thank you, very much.

Next is Jim Joseph, Stevenson Business Associaton.

STATEMENT OF JIM JOSEPH, PRESIDENT, STEVENSON BUSINESS ASSOCIATION

Mr. JOSEPH. Senator Evans, I want to thank you for coming today, and the association thanks you. In dealing with this issue that's before you today and listening to what's been going on, I'm glad to hear that there's somebody who's openminded and is willing to listen to the full testimony, especially of the local people, which we have not really been heard before or to the extent that we have today.

What I want to talk about is, first of all, the business association wholeheartedly supports local control as put forth by Bob Leick, the idea that the governing of the gorge will be controlled by our local municipality, and that it will be used in cooperation with State, Federal, and people that are interested in the gorge.

I think there's something more important here today that we should be talking about, too, and that's the people. I think we're talking issues but, you know, without the people here, there would be no issue, there would be no reason for us to meet here today. I've lived here all my life and I find it to be quite a unique place to live.

If the Packwood-Hatfield bill goes through, what in essence happens is it will be a strangulation of the local economy. What will happen is as you buy out people in the surrounding areas, the town will just simply die. Tourism itself cannot sustain the community. It can be an asset, but will not sustain the community.

History will bear me out, in all areas that townships are built, they're built on the need for a common place to meet or common place to come to because there's surrounding people. If these people are gone, then the town itself will die.

Another important fact is that 92 percent of this county is already either Federal- or State-owned, to the point that if you take more there will be no moneys or funds to run it. You might as well give it to the Federal Government and let them have it, because we won't have anything and the State won't have anything, because it will all be for naught to continue to go on.

The Packwood-Hatfield bill, in my option, is just unacceptable for our area because they don't consider the people in the area. We've tried to speak to them, we tried to voice our opinions, and we could not.

Now, Alan Merson suggested that Bob Leick was being very theatrical about what he was doing, but the point is that with the Packwood-Hatfield bill, without people in the communities we won't have a city, we won't have a place to live.

It's interesting to note that the people that are interested in the gorge want to keep it for recreational use, for those things that they enjoy. Two years ago, in the winter of 1983, they were having a party at the Marketplace. It was on the society page of the Oregonian. We in Skamania County were also having a party. The people in Portland probably had 150. We had over 350 people at our party. We were out of the terrain hunting for a downed plane.

It took us 3 days to end our party. They had theirs in one evening. We take care of the gorge, we are people interested in the gorge.

I think also people talk about new people moving into the area. I don't believe this is happening. One of the reasons that I state this is from January to April of this year we had over 90 inches of rain. People do not like to live in rainy areas. It takes a special type of person, special fiber in a person to live here. People aren't coming in droves to live here because this isn't an area where the sun shines all the time.

My comment here is that, look, we are not having urban sprawl. We're small communities subsisting on what the area has to offer. We welcome people coming in from the outside, but don't take our homes from us, don't take what we prize so specially, the heritage of the gorge and our lives.

[The prepared statement of Mr. Joseph follows:]

Stevenson Business Association
Box 314
Stevenson, Washington 98648

COLUMBIA RIVER GORGE HEARING
November 8, 1984

Dear Senator Dan Evans,

As President of the Stevenson Business Association, I am setting forth the following views as representative of what we, as a group feel strongly about. We feel that Federal Control of the Columbia River Gorge is absolutely wrong. Consideration of Federal control goes against the Constitution of the United States of America. Over 90% of the population of the area feel that local control is what we choose. Please listen to us and to the Constitution on which this country was founded.

It shall also be noted that the Republican State platform opposes Federal control and supports local control. Why then, with all this data available, does the Republican Congressional delegation support Federal control?

From an economical point of view the taking of farms and other private property around the communities of Stevenson and North Bonneville will spell death to these comminities. The businesses of these towns need, like those in any other towns or cities need, the economic support of the people living in

Stevenson Business Association
Box 314
Stevenson, Washington 98648

the area. A good example to prove our point is the example of the Cuyahoga Valley land take over by the Federal Government. We will be like a ghost town which will cause many businesses to be forced to close their doors, leaving only a few token businesses. We as merchants and land owners represent what America is all about - FREEDOM - the freedom to choose where we want to live and to work. Please don't take this away from us.

Why do the Senators and Representatives of the State of Washington want to turn our Gorge land over to the Federal Government? If this is done there will be no more monies going to the State from this area through property taxes and, even more, through State sales tax. Is the State of Washington so rich that it can afford to lose revenues that come from the counties along the Gorge?

The Packwood Bill and Hatfield Bill, along with the Governors Bill, really leaves us no room to move in planning for our future. They want to take for the people of Portland a six mile wide and eighty mile long strip of land which constitutes 4800 square miles. Can the State afford to lose this land when Skamania County is already 90% owned by either the Federal or State Governments?

We have a plan for the management of the Columbia River Gorge that will not cost the State or the Federal Government tons of money. The following is an outline of this plan:

1. Form a six County board to govern the Gorge;
    A. Skamania County
    B. Clark County
    C. Wasco County
    D. Hood River County
    E. Multnomah County
    F. Klickitat County
2. This Board of Counties to make all decisions as to how the Gorge is to be developed for recreational, industrial and private use.
3. From the Oregon side, make a list of the critical view areas (this has not yet been done).
4. Have money available to the Counties so that they can buy developemental rights from the landowners in the

view areas.

5. Leave governing of the lands to the workings of the local government agencies.

We, as people, choose to live here and make the Gorge our home. Please let us live here in peace. We will gladly talk to you at length about our concerns over this Gorge Legislation and what it means to us as individual property owners and as business owners.

Will you help us protect our homes and our businesses? There is no one else! PLEASE!!

Sincerely,

Jim Joseph, President
Stevenson Business Association

Senator **Evans**. Thank you.

Broughton Bishop, Pendlton Woolen Mills.

STATEMENT OF BROUGHTON H. BISHOP, CHAIRMAN, PENDLETON WOOLEN MILLS

Mr. **Bishop**. Senator Evans, I'm Brot Bishop, chairman of the Pendleton Woolen Mills. We've operated a plant in Washougal for 70 years and I've been actively involved in the management of it for the last 35.

Before getting started I'd just like to go on record that I get terribly frustrated with Federal regulations. However, in this particular instance, considering the Columbia Gorge, I agree with the principles expressed in the testimony of Booth Gardner, Governor-elect of the State of Washington. No. 1, he suggested that something effective should be done as quickly as possible. I think there is a sense of urgency. I've been very encouraged today that there seems to be a general feeling let's get this thing over with. I think we're ready to get something done.

No. 2, he expressed an interest in strong Federal leadership and participation in the administration of getting something done and the continuing administration of protecting the Columbia Gorge. I think that is necessary. I don't think really it would be possible to draw together all the diverse governmental units that are involved in this, both the State of Oregon and the State of Washington, without getting some leadership from the Federal Government. I do believe very strongly that the rights of property owners should be protected, and I think that can be done under carefully drawn Federal legislation.

Again I'd just like to say I think there is a sense of urgency. I would like to help in any way I can. I know our company would like to help in any way we can. We wish you a lot of luck and success in pulling all this together.

Thank you, very much.

[The prepared statement of Mr. Bishop follows:]

Testimony Before The
Public Lands and Reserved Water Subcommittee
of the
Senate Committee on Energy and Natural Resources
Stevenson, Washington
November 8, 1984
By Broughton H. Bishop
Chairman, Pendleton Woolen Mills

My name is Brot Bishop. I am very pleased to be here today to express my strong support for protection and enhancement of the Columbia River Gorge.

I am in the wool business. My company, Pendleton Woolen Mills, has owned a mill at Washougal, Washington for 72 years, and I spend one day each week at that plant. We are a major employer in Washougal. I feel that I have as much at stake in what happens in Southern Washington as anyone else in this room.

But more than that, my forebears all settled in Oregon and Washington east and west of the Columbia Gorge well over 100 years ago. The Gorge is one of the great wonders of the world, and it is natural that people like myself feel strongly about its preservation. There has been disagreement about the best method to use, but there is almost universal agreement that something effective must be done.

The second point I'd like to make is that the time to act is now. This issue has been discussed and debated in public forums and in the press for four years. It is time for action to get the job done.

Thirdly, the job must be done correctly to guarantee true protection and to insure the rights of property owners. Both of these objectives require participation and leadership by the Federal Government. How else can property owners be adequately protected?

I conclude with the hope that Congress will be wise enough not to waste time and money on a halfway political solution in the Gorge. Serious-minded individuals know that locally based commissions and weak land-use plans do not augur well for the future of the Gorge. With these words said, I simply close by encouraging you to move quickly forward to get this important work done in the next Congress. I wish you well.

Also, I sincerely thank you for this opportunity to explain my views on this subject that is so important to all of us who live in the Pacific Northwest.

Senator **Evans**. Thank you. Luck and success in pulling it together with totally uniform acceptance of the results? That's going to take more than luck.

Don Brashers, Klickitat Valley Realty.

STATEMENT OF DON BRASHERS, ON BEHALF OF LYLE, WA

Mr. **Brashers**. Senator Evans, my name is Don Brashers and I'm actually representing the nonincorpoated town of Lyle. We have had this issue of Federal control put on the November 6 general election ballot to get an accurate count on the feeling of Klickitat County. Mr. Holly reported that it was overwhelmingly against any Federal control.

As a lifetime resident of the Columbia River Gorge, I as a very concerned citizen feel that our rights as U.S. citizens are being taken away from us. The Constitution guarantees to us the right to own and use our land and to be represented by our elected representatives. I might say this is the first time as a whole all of us have been able to talk to our elected representatives. Most of Klickitat County's population in the Gorge lives outside incorporated areas. We have 10,250 people of the county that reside in nonincorporated areas and 6,250 in incorporated areas.

When I first applied to be on this as a witness, we weren't told what we'd be under. I was informed this morning it'd be under "business." I am a realtor. I now also have taken out an insurance license. I'm also working in the woods. So you know what the economy is in this area.

I'll just finish this up here. I feel that the people that have stayed in this area to live and raise their families are a very hardy group of individuals who have sacrificed much to live in this area. The Gorge is probably one of the most beautiful areas in the world, and yet it can be one of the most demanding, from weather to the economic well-being of the people. It can be feast or famine in just 1 year's time. But, this is our choice. Senator, I hope that we still have that choice and let local control take care of it.

Thank you.

[The prepared statement of Mr. Brashers follows:]

November 8, 1984

Mr. Chairman
Senator Evans and distinguished guests:

My name is Don Brashers and I am representing the Non-incorporated town of Lyle, Washington.

We have had the issue of Federal Control put on the November 6 general election ballot to get an accurate count and feeling of Klickitat County residents. 63% indicated that they favored local control, 4% favored federal control and 32% favored a combination of both. We are a small part of the state as a whole, but we feel that by owning and living in this area we should have the major say in what happens to this area.

As a lifetime resident of the Columbia River Gorge, I as a very concerned citizen feel that our rights as United States citizens are being taken away from us. The Constitution guarantees to us the right to own and use our land and to be represented by our elected representatives.

If the bill that Senator Hatfield introduced (SR627) is passed, it will take away from the people of the gorge all control of their property, especially the non-incorporated areas. All control of the property will be drawn up by people that live outside of the area not by the people that live and own property and have the most concern for the gorge. Most of Klickitat County population in the gorge live outside the incorporated areas. 10,250 people of the county reside in non-incorporated areas and 6,250 in incorporated cities. White Salmon - 1,940, Goldendale - 3,660, Bingen - 650. This bill on the other hand gives exemptions to all Federal and State property and Indian land and homes.

In questioning Sen. Hatfield and others where the critical areas are going to be, we were told that would be decided after the bill has been passed by Congress. We also asked who would determine what land would be condemmed or what ciriteria would be used to judge those areas significant enough to be condemmed, the answer was the same.

As this bill stands now, it would give a blank check to what ever governing body is put into power and the only recource we would have would be the Federal Court in San Francisco, California and Senator, very few of us in this area have the money or the expertice to challange a governing body of this magnitude.

Klickitat County has some of the most restrictive zoning and building laws in the state of Washington. We have more stringent laws than they have on the Puget Sound or in King County.

In your travels through the Columbia River Gorge, Senator, have you noticed that it has not been changed much except by Federal and State entities? The Columbia River Gorge runs between the borders of Washington and Oregon, from the Pacific Ocean to the eastern borders of the two states. Why then, are they taking just this small portion?

I feel that the people that have stayed in this area to live and raise their families are a very hardy group of individuals that have sacrificed much to live in this area. The Gorge is probably one of the most beautiful areas in the world and yet it can be one of the most demanding, from weather to the economic well-being of the people. It can be feast or famine in just one years time. But, this is our choice to live here.

It is a very sorry state of affairs when people that pass through an area and like the scenic view of that area can coerce and pay through campaign contributions to non-representative of congress and direct that body to pass legislantion that takes our unalienable rights away from us as United States citizens. This country was founded on the many freedoms that other nations are fighting for today, so Senator, why take them from us?

DON BRASHERS
BOX 224
LYLE, WA 98635

Senator Evans. Thank you, very much, Don.

Lastly, Rita Swyers from Hood River Chamber of Commerce.

STATEMENT OF RITA SWYERS, DIRECTOR, BOARD OF DIRECTORS, HOOD RIVER CHAMBER OF COMMERCE AND MEMBER, OREGON WOMEN FOR AGRICULTURE, HOOD RIVER, OR

Ms. Swyers. My name is Rita Swyers and I live in the Hood River Valley. I'm also a farmer. I'm on the board of directors of Hood River Chamber of Commerce who wrote a letter on October 20, 1983, to 17 Congressmen and our two Governors. They unanimously opposed the Governors' bill, the Friends' bill, and any legislation which would transfer local planning responsbility to another entity. They wanted any legislation to affirm and protect the fundamental rights of gorge residents who have worked and built their entire lives in the gorge.

The reason that I'm on the Hood River Chamber of Commerce board is because they have a seat for a member from Women for Agriculture and I am that person. Oregon Women for Agriculture adopted a resolution opposing the imposition of any form of Federal control over non-Federal land in the Columbia River Gorge on June 17, 1983. They further resolved opposition to government regulation of scenic beauty. Their concern was for the 41,000 people who live in the gorge, Federal Government discretionary authority to condemn or restrict the free use of private property, and the negative impact not only to agriculture, but to all economic activity and production in the area.

I haven't heard from any farmers today, so I want to do my little farm pitch. We have heard the verbal promises that all existing housing and farming business would not be affected by any Federal legislation. Farming, like other businesses, does not stand still. It grows or it dies. The need for buildings and treatment of property changes. We cannot farm in a controlled, sterile environment; that is, we cannot grow the good food you like to eat without certain freedoms. Every American farmer feeds 83 people. If we are to continue to be the most productive farmers in the world, with the best product for the least cost, we cannot be hampered by government.

I would like to address another issue. I have had 16 years experience working with government. By that I mean working in programs where I contracted with local, State, and the Federal Government. I consider my work in those programs to have been successful, but I also am convinced that the biggest obstacle that we had to deal with in our local communities was the governmental agencies. There were so many of them that just coordinating their efforts was a major problem. I recognize that there are many good people working in government, but it just takes one who is poorly motivated to really scuttle the efforts of the local people. If they have the power and the money, the local people really don't have anything to say, anyway.

I am absolutely convinced that everytime we give money or power to government, that we do take it away from the people. I don't question that the people who have worked on these bills and who will work on future bills are good people and they're doing what they believe is right.

I'm a native Oregonian, I've lived in Oregon most of my life. I grew up in Sherman County, I lived in The Dalles and I lived in Hood River. I have pride in the gorge as much as anybody. I really do like the straight road better than that old winding road, and there have been times when I would have liked to have seen a light in the gorge.

Fifty-three percent of Oregon now belongs to government. Our economy is in trouble. Our leading industries are suffering financially, which is taking jobs out of Oregon. We need to be concerned about the future of the families who live in our State. And bless you, Senator, for listening to us because our two Senators aren't. [Applause.]

Senator EVANS. Even though I'm disinclined to rap the gavel on that [laughter] I think I should.

Ms. SWYERS. The national deficit has been identified as our most serious problem as a nation, and yet these costly proposals don't even slow down.

I do not support making our State a government-managed playground for other States. However, they do have 53 percent of it. I do support letting it be a playground for other States, managed locally, which would develop our economy and jobs. We must not allow ourselves to believe that appointed members of a commission is local control. It is not.

I'm really concerned that the people of Oregon and Washington are being pitted against each other over this issue, and by that I mean in Oregon, when we talk this over, we talk about the bad guys in Washington that aren't doing it right. I am equally concerned that the people in our region are given the choice of two bills that are both bad. We have many options, and one of them is to recognize our local public officials and local planning efforts, and retain the system which gives the people a voice in the decisions that affect their lives.

Bless you for conducting your own hearing. I don't believe anybody can accuse you of not trying fully to understand this issue; and also, for having the hearing here in the gorge. I really do appreciate that. If I have to leave Oregon, I'll come to Washington and vote for you. [Laughter.]

[The prepared statement of Ms. Swyers follows:]

TESTIMONY PREPARED FOR SENATOR DAN EVANS GORGE HEARING NOVEMBER 8, 1984

BY RITA SWYERS, 2000 EASTSIDE ROAD, HOOD RIVER OR 97031 PHONE 503-386-4961
MEMBER, OREGON WOMEN FOR AGRICULTURE
MEMBER, HOOD RIVER CHAMBER OF COMMERCE AND DIRECTOR OF BOARD OF DIRECTORS
STATEMENTS FROM THESE TWO ORGANIZATIONS IS ATTACHED

Oregon Women for Agriculture adopted a resolution opposing the imposition of any form of federal control over non-federal land in the Columbia River Gorge, on June 17, 1983. They further resolved opposition to government regulation of scenic beauty. Their concern was for the 41,000 people who live in the Gorge, federal government discretionary authority to condemn or restrict the free use of private property and the negative impact, not only to agriculture but to all economic activity and production in the area.

October 24, 1984, Oregon Women for Agriculture restated their position to Senator Mark Hatfield. Copies of these documents have been sent to ninety-three State legislators, the Governor of Oregon, 7 national Congressmen, AAW President and Legislative Chairman and Washington Women for Agriculture.

We have heard the verbal promises that all existing housing and farming business would not be affected by any federal legislation. Farming, like other businesses, does not stand still. It grows or it dies. The need for buildings and treatment of property changes. We cannot farm in a controlled, sterile, environment. That is, we cannot grow the good food you like to eat without certain freedoms. Every American farmer feeds 83 people. We raise a perfect product. The imperfect never leaves the farm gate. We do not believe that you want to see that change. If we are to continue to be the most productive farmers in the world, with the best product for the least cost, we cannot be hampered by government.

Hood River Chamber of Commerce wrote a letter on October 20, 1983 to 17 Congressmen and our 2 Governors. They unanimously opposed the Governor's bill, the Friend's Bill and any legislation which would transfer local planning responsibility to another entity. They wanted any legislation to affirm and protect the fundamental rights of gorge residents who have worked and built their entire lives in the gorge.

The rest of my remarks will be my personal view of the proposed gorge bills. I have had 16 years experience, negotiating and contracting with government agencies. These agencies were established to provide funds and assistance for programs administered by me. We theoretically, had the same mission. The programs were a success. It is my opinion that the biggest obstacle for the local communities was governmental agencies, who controlled the money and therefore, the power and authority.

Recognizing that there are many good people working in government, I want to point out that it only takes one poorly motivated person in government, with money and power, to create havoc for local citizens. People in these positions are under tremendous pressure from people and organizations who do not support a free enterprise system. Being far removed from the local community, it is not difficult to understand how they would give in to such pressures. In my work with government, I witnessed levels and levels of waste. The biggest problem was coordinating the many agencies involved. We dared not offend them because they were powerful and they controlled the money.

Are we being as responsible as we should be? Is it easier to let someone else do the work, rather than doing it ourselves? WHOOPS is a good example of what can happen when we turn decision making over to others.

What is it that makes this country different? Why are we prosperous? People are free to own property, to speak their minds and to earn unlimited money. Every time we give money or power to government, WE TAKE IT AWAY FROM THE PEOPLE.

I do not question that the people who have worked on these bills are good people doing what they believe is right. I am a native Oregonian and have lived in Oregon most of my life. I love Oregon and I love the Gorge, more now than as a child. I hated that long trip on impossible, winding roads through the Gorge. Most of the changes in the Gorge are the result of government projects. There are less people and less businesses in the Gorge now than there has been in years past. Under local control, the Gorge has remained beautiful. We do not need to worry about rampant development because special interest groups will not allow it.

53% of Oregon's land now belongs to government. Our economy is in deep trouble. Our leading industries are suffering financially which is taking jobs from Oregonians. We need to be concerned about the future of the families who live in Oregon. The national deficit has been identified as our most serious problem as a nation. Yet, the costly federal control bills don't even slow down. I do not support making our state, a government managed playground for other states. I DO SUPPORT LETTING IT BE A PLAYGROUND FOR OTHER STATES, MANAGED LOCALLY, WHICH WOULD DEVELOP OUR ECONOMY AND JOBS.

We must not allow ourselves to believe that APPOINTED MEMBERS of a Commission is local control. IT IS NOT!!! Such appointed members, answer to no one. Elected Public Officials lose their local authority when they become appointed by a Governor or President or anyone else.

I am really concerned that the people of Oregon and Washington are being pitted against each other, over this issue. I am equally concerned that the people in our region are given a choice of two bills that are both bad. We have many options and one of them is to recognize our local public officials and local planning efforts, and retain the system which gives the people a voice in the decisions that affect their lives.

Oregon Women for Agriculture

17400 Tarter Road
Monmouth, OR 97361
October 24, 1984

Senator Mark O. Hatfield
Room 114, Pioneer Courthouse
555 SW Yamhill Street
Portland, Oregon 97204

Dear Sir:

Oregon Women for Agriculture wish to restate that they are very much against the "Columbia River Gorge" bill that was introduced by yourself, Senator Packwood, Representatives AuCoin and Weaver last year.

In June 1983, OWA passed a resolution against placing the Columbia River Gorge under centralized federal control and sent a copy of the resolution to you.

We still can not understand why you want to restrict or condemn private ownership, cancel the comprehensive plans and remove control from the local people in the Gorge, and the state of Oregon. This bill would negatively impact not only the agricultural, but all economic activities and production in the area and throughout the Northwest.

Is it your opinion that any and every attractive location that someone considers "Scenic Beauty," whether it is owned privately or not, should be placed under federal control? If this is to be the rule, who is to judge what is "Scenic Beauty"? To be specific, who is to be victimized and who is to be spared from this "Big Brother" attitude?

OWA truly hopes you will reconsider sponsoring this mistake.

Sincerely,

Juanita R. Wilson

Juanita R. Wilson
(Mrs. James D.)
President

cc: Packwood,
AuCoin, Weaver

Oregon Women for Agriculture

COLUMBIA RIVER GORGE RESOLUTION

WHEREAS, the Columbia River Gorge is the home of 41,000 Americans who live there by choice and are free citizens, and

WHEREAS, legislative proposals have been made to place the Columbia River Gorge under centralized federal control giving the federal government discretionary authority to condemn or restrict the free use of private property, and

WHEREAS, said proposals would negatively impact not only agricultural but all economic activities and production in the area and throughout the Northwest and violates the constitutional right to own property which is guaranteed and protected by government.

THEREFORE, be it resolved that OWA opposes the imposition of any form of federal control over non-federal land in the Columbia River Gorge.

Be it further resolved that OWA opposes the government regulation of "Scenic Beauty." "Scenic Beauty" is a matter of personal opinion which is incapable of regulation without infringing upon the civil rights of others with differing opinions.

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[illegible]
B. Packwood
Dan Evans
Slade Gorton
Representative Bob Smith
Denny Smith
Ron Wyden
Les AuCoin
Jim Weaver
Sid Morrison
Don Bonker
Tom Foley
Joel Pritchard,
Norm, Dicks

[illegible]
Governor Vic [illegible]

October 20, 1983

Ron Chandler
Mike Lowry
Al Swift

Dear

The Hood River County Chamber of Commerce has for several years, been deeply concerned over the various management structure proposals for the Columbia River Gorge.

At the onset of all discussion regarding management possibilities in the Gorge the Board of Directors of the Hood River County Chamber of Commerce voted to oppose any form of federal control which could very well have a detrimental affect on persons living and working in Gorge communities.

At our October 4, 1983 Board of Director meeting the directors voted unanimously to oppose the "Governor's Bill", the "Friends" Bill, and any legislation which would transfer local planning responsibility to another and even outside entity.

We feel that any legislation should affirm and protect the fundamental rights of Gorge residents who have worked and built their entire lives in the Gorge.

Please consider all of these families and the many lives involved when evaluating our concerns.

Sincerely,

Craig Sheppard
Vice President
Legislative Division

Senator Evans. OK. Let me get back to Mr. McHugh. In the testimony that was attached to what you were talking about, I was reading your statement of what some others have said, essentially that the Portland-Vancouver metropolitan area is growing and it's projected to grow further. The new bridge and other developmental pressures on the area will intensify if more people choose to live in the gorge. The question then as many see it is this: How is this area to be protected before there really is a problem? Which I think states pretty well the reason we are here, and yet your suggestion was no Federal involvement. What effectively in your view can do that job if the concern is that additional population pressures are here and presumably control of population pressures or the protection of the area requires that you don't succumb to those population pressures?

Mr. McHugh. Thank you, Senator. I think we need to be careful here a little bit. I think in the statement I made there are tools available to local county and city governments that are being utilized to varying degrees already in the gorge. Also, as I mentioned in the statement, I don't think we have any right to make determination for an area as far as what's going to happen as far as growth is concerned. I think those types of decisions are best left to the local people in the individual areas who know best what is right for the area.

Senator Evans. I don't know how that squares with your statement "The question then, as many see it, is this: How is this area to be protected before there is really a problem?" Presumably, the problem you're talking about in the preceding words is population and development pressures. If we assume that the gorge is a unique spot and deserves some protection, and yet you say, well, it's up to the local communities; what if the local communities say we want to develop, we want to open it up, we want to bring as many people in as possible? But, you're saying this is an area we've got to protect from development pressures. How do you rationalize those two?

Mr. McHugh. I think the context, Senator, might be—we may have prepared that a little bit incorrectly. I think really we're raising the question is there a problem, and is this area really necessary to be protected from the creeping residential development that's been claimed is going to come here and other sorts of development. So, as far as the statement is concerned, I stand by it. But, I think as far as the context from the Washington Association of Realtors standpoint, the problem really doesn't exist to the degree that the proponents for Federal legislation indicate that it does exist.

Senator Evans. Well, OK, I think there may be disagreement as to the nature of the problem. If the problem did exist to the degree that some of the proponents suggest, if there were development pressures that were very strong and, left uncontrolled, would grow rapidly—you know, we can have differences of opinion, all of us, as to how fast that might happen or whether it will happen at all—would you be concerned?

Mr. McHugh. I think that's a hypothetical. I don't think that——

Senator Evans. I know it's a hypothetical. Give me a hypothetical answer, then. Would you hypothetically be concerned? Or do you care? Or does the Washington Association of Realtors figure that's up to whatever the people in the local area want?

Mr. McHugh. I think the position of the association is that's up to the local people, and the local governments that are currently operating and have the authority to zone and restrict the use of land in the area at the time. As far as whether or not I would be concerned, certainly I think anyone in the community is concerned on how their community grows, and the development and direction that it takes. But, I think it's those people that have chosen to live in those communities and areas, and who own the private property that's being regulated here, they should be the ones that have the right to make those long-term decisions through their locally elected officials.

Senator Evans. OK. Yes, ma'am?

Ms. Swyers. We have so many watchdogs that I don't think we need to worry about it. There are a lot of groups who are really concerned about the appearance of the gorge. I believe that the people who really care the most are those of us who have lived here all of our lives. We really don't want it to become ugly. So, I feel that we just have that automatic safeguard.

Senator Evans. OK. Yes?

Mr. Joseph. Senator, one of the issues is urban sprawl. People have to make a decision to move here. Why would you move here? Why would any of us move here? The reality is that here you have at least a week or week and a half where the snow will block the gorge, you can't get through either side. You have a lot of rain. It's not an economically sound community in the sense that you can get all goods and services within our local community. So, it takes a pretty rugged person to live here. I've seen people come and I've seen people go. They love the beauty in the summertime when they move in, and by next summer they can't wait to leave. It takes a certain type of person in this community. This will never be an urban sprawl community, this area. It doesn't lend itself to the nature of things. People want access to convenient things and this is not a convenient area.

Senator Evans. Mr. Brashers, you talk about the unincorporated areas. One of the concerns about any controls if legislation were to be passed is just that, any piece of legislation that's been proposed so far at least has generally excluded the incorporated areas, and they have also, as I understand it on the Oregon side at least, included those areas within the urban growth boundaries set by the Land Use Act. What about the unincorporated areas? How would you measure what should be excluded if, in fact, we ever pass legislation. You may not agree that we have to have any piece of legislation, but if we did how do you handle the potential growth areas that are unincorporated in this State?

Mr. Brashers. Well, I think our county zoning laws have pretty much taken that into control, the same as they actually infringe on your city or small towns, too. I think in Washington, as I said, your population growth indicates it. Now, White Salmon is a fairly large community. But, over half of the people that are actually attached to White Salmon live without the boundaries. So, our county zoning rules and regulations and then, of course, our other criteria that they use on our planning departments, and stuff, control that fairly well.

Now, talking about Lyle here, where I represent, and then we also have the Dallesport area, they are prime industrial areas. I don't know other than through our county rules and regulations how else they would be controlled. And they are very strict. You know what I mean? You can't say there is no control on them.

Senator **Evans**. Have any of you had any experience with the gorge overlay propositions that some of the county commissioners were talking about in your businesses or in your development?

Mr. **Brashers**. Yes; that goes along with where I'm a realtor, we've been involved with it. I have a map here if you'd want to look at it. It just gives the overlay of Klickitat County.

Senator **Evans**. Yes, that might be helpful, if you have an extra one to submit with the testimony.

Mr. **Brashers**. Now, it shows how the—whoops, I left it out in the car. Excuse me all to heck, I said I did have it. No; here it is, I got it. I'll leave that for you.

But, it shows how the county has zoned and regulated the nonincorporated area into the overlay area there.

Senator **Evans**. Are you aware of, in anything that you've been involved with, proposals made that have been turned down by the county because they came within the restrictions of that overlay?

Mr. **Brashers**. Yes; rock quarries, and things such as that, that would mar the looks, I guess you'd call it, from the Oregon side over toward the Washington side.

Senator **Evans**. OK.

Mr. **Brashers**. There was a question asked awhile ago if there was any idea of the population growth of this gorge area. On the Washington side, I was reading figures the other day that show that there'd been a decline of 16,000 people in the last 10 years out of the gorge area. So, that might give you some idea of the encroachment of people coming in.

Senator **Evans**. If you carry that forward on a straight-line basis, you'll be back to wilderness.

OK, I'll hold any further questions. That was very helpful. Thank you. We'd better move on, I guess.

Will the environmental panel come forward now? While they're coming forward, the next one, the Columbia Gorge Coalition, Carroll Davis, Sue Hall, Barbara O'Heill, Dr. Bruce Schwartz, Dennis White, Chuck Williams, and Lucille Wyers come forward.

First, Pam Crocker-Davis representing the National Audubon Society; and, since virtually all the other members are representing various chapters of the Audubon Society, I hope that there can be some consolidation of testimony. At least I hope there's some consistency from chapter to chapter. That would help us immensely in trying to get through.

Ms. **Crocker-Davis**. Thank you, Senator Evans. In the interest of time and along those lines, what we've done is attempt for each of us to take a different aspect that will be involved in gorge protection that you're going to need to consider as you look at any sort of gorge legislation. I will be addressing the adequacy of existing regulations in Washington State, others will address land use in Oregon, wildlife on both sides of the gorge.

Senator EVANS. All right, if we can do that fairly quickly, because others are trying to cover the whole gorge area with one piece of testimony, and it tilts it fairly strongly in one direction.

STATEMENT OF PAM CROCKER-DAVIS, WASHINGTON STATE OFFICE, NATIONAL AUDUBON SOCIETY

Ms. CROCKER-DAVIS. Thank you.

I'd like to very briefly summarize Washington State's inadequate protection in the areas of land acquisition land use planning, and forest management. As far back as 1936, Washington has refused to accept scenic lands in the gorge. Beacon Rock was accepted by our State only after the Biddle family threatened to deed that area to the State of Oregon. Beacon Rock remains now still the only park in the west half of the gorge area. Despite this, in 1984, Washington State Parks attempted to trade off 40 acres of this small but critical resource for lands outside the boundaries of the gorge. State Parks has recently also refused to accept outright donations of lands along the gorge scenic corridor.

Washington jurisdictions remain opposed to even local land use planning. Skamania County has no zoning. The Rizor subdivision, which was approved by the county, was only stopped when it was bought outright by the Trust for Public Lands. The 83-acre, Hidden Harbor subdivision will require major dredging and filling of wetlands, and wetlands loss is a major problem in the gorge. It stands in direct violation to our State Shorelines Management Act, but has been approved again by the county. Burdoin Mountain in Klickitat has been illegally subdivided in violation of the gorge overlay zone that you've mentioned. If the subdividing that is already approved on this side of the river is carried to completion, the whole Washington side of the gorge will be lost. This history strongly suggests that State and local commissions to protect the gorge will not be sufficient.

Much has been said about forest management in this State. Our State Forest Practices Act will not protect lands along the gorge. The department of natural resources has promised but not yet produced sensitive area management plans in the gorge. These plans, however, will extend only to major landowners such as DNR, Crown-Zellerbach, and Longview Timber. Small, private landowners, which DNR studies released last year show to be badly out of compliance with even minimal reforestation provisions of our Forest Practices Act, will not be included.

It is not encouraging that 2 days ago our State forest practices board decided that a 1,000-acre, contiguous clearcut was not a sensitive activity. This is despite the fact that clearcut will run through a federally designated wild and scenic river corridor in the Skagit Valley. The forest practices board decided such a clearcut was well within the parameters of their forest land management plans. What do actions like this indicate for the future of the gorge under only State control?

Out of 60,000 permits issued under the act, fewer than 25 have ever been denied outright. Only 59 of these 60,000 permits have been declared as class IV special permits, which are the only permits that will fall under the purview of our State Environmental Policy Act for environmental assessment and review. These 59 have all been classified as class IV special only because of the Federal-level Endangered Species Act, which requires protection for bald eagles.

Clearly, State forest practices will not protect the gorge, nor will local land use, nor bistate compacts without Federal involvement. We look forward to some creative solutions to the issue in the next year.

[The prepared statement of Ms. Crocker-Davis follows:]

National Audubon Society
Western Region, Washington State Office
P.O. BOX 462, OLYMPIA, WA 98507 (206) 786-8020

TESTIMONY ON PROTECTION OF THE COLUMBIA GORGE

Pam Crocker-Davis
National Audubon Society
November 8, 1984

Audubon favors strong federal protection for the unique natural resources of the Columbia Gorge. We watch with growing dismay as adverse development and poor resource management continues unchecked by weak state and local efforts.

The Gorge is at a critical juncture. We would like to briefly summarize Washington State's inadequate protection in the areas of land acquisition, land use planning, and forest management.

LAND ACQUISITION

As far back as 1936, Washington has refused to accept scenic lands in the Gorge. Beacon Rock was accepted by the State only after the Biddle family threatened to deed the land to Oregon. Beacon Rock remains the only park on the Washington side of the Gorge. In 1984, Washington State Parks attempted to trade off 40 acres of this small but critical resource for lands totally outside the boundaries of the Gorge. State Parks has recently also refused to accept outright donations of lands along the Gorge's scenic corridor.

LAND USE PLANNING

Washington jurisdictions remain opposed to even local land use planning to protect the Gorge. Skamania County still has no zoning. The Rizor subdivision across from Multonomah Falls was approved by the County and was only stopped when the Trust for Public Lands bought the land outright. The 83 acre Hidden Harbor subdivision will require major dredging and wetland filling. It stands in direct violation of the Shorelines Management Act; but has been approved by Skamania County. In Klickitat County, Burdoin Mountain has been illegally subdivided - in direct violation of the Gorge Overlay Zone. If the subdividing that has already been approved on this side of the River is carried to completion, th whole Washington side fo the Gorge will be lost. This history strongly suggests that state and local commissions to protect the Gorge will only lead to the kind of situation that existed with the bi-state Tahoe Commission - where 95% of the development proposals were approved between 1971 - 1978.

FOREST MANAGEMENT

The State Forest Practices Act will not protect lands along the

Gorge. The Department of Natural Resources (DNR) has promised (but not yet produced) "Sensitive Area"management plans in the Gorge. This management, however, will extend only to major land owners such as DNR, Crown Zellerbach, and Longview Timber. Small private forest landowners, which DNR studies show to be badly out of compliance with even the minimal reforestation provisions of the Forest Practices Act, will not be included.

It is not encouraging that two days ago the State Forest Practices Board decided that a 1000 acre contigous clearcut was not a sensitive activity. This clear cut will run through a federally designated wild and scenic river corridor in the Skagit Valley. The Forest Practices Board decided such a clear cut was well within the parameters of their Forest Land Management Plan. What do actions like this one indicate for the future of the Gorge under only state control?

Out of 60,000 permits issued under the Forest Practices Act, fewer than 25 have ever been denied. Only 59 have been declared as Class IV Special permits - which would require some level of environmental assessment and review. These 59 have all been classified only because of the Federal level Endangered Species Act which requires protection for bald eagles.

Clearly the State Forest Practices Act will not protect the Gorge. Nor will local land use of bi-state compacts. We urge strong federal protection for the resource values of the Gorge within the year. We look forward to your support.

Senator **Evans**. Thank you.

Lynn Herring.

Ms. **Herring**. Let's see, I'll defer to Rick Rutz.

STATEMENT OF DR. RICHARD RUTZ, SECOND VICE PRESIDENT, SEATTLE AUDUBON SOCIETY

Dr. **Rutz**. My name is Richard Rutz. I'm second vice president of the Seattle Audubon Society. The society is over 4,000 members who are dedicated to the protection and preservation of fish and wildlife and plant species and their habitats. The society and its members have been very active in city, State, and regional land use planning, and energy planning, and we're very happy to be able to speak to you today about a subject of great concern to us, the Columbia River Gorge.

The many virtues and values of the gorge greatly exceed the time, of course, that I'm allowed to speak to you. In realization of this fact, I'd like to address solely the fish and wildlife aspects.

As earlier speakers have so well described, the climatic conditions of the gorge are quite unique. The juxtaposition of several different climate zones, and the various special and diverse habitats this produces, supports a great variety of vegetation. This, in turn, provides a rich home for many wildlife species.

In carving its great gorge, the Columbia River provided a sea-level pathway for the movement of animals across the Cascade Range. Many species found ideal conditions for survival within the gorge, and some continued to reside in the gorge long after their brethren had left the bordering lands. Th inhabitants of the gorge developed new and unique varieties which, in time, became species of their own. Today the gorge is host and home to 69 species of mammals, birds, reptiles, amphibians, and fish which are of special concern in Washington State. There are also 60 species listed of special interest in the State of Oregon. Several species are listed on or are candidates for the Federal threatened and endangered species list.

But, not only the unique but also the common animals find haven in the gorge. Waterfowl such as the wood duck and Canada goose flock to the streams and wetlands along the Columbia River. Deer and beaver, seals and swans are to be seen within the confines of the gorge. The salmon and the steelhead, diminished though their numbers be, still swim the streams. Rich and diverse, the gorge has long had the ability to absorb change and to still maintain its essential character.

But, as we've seen, the winds of change are blowing and substantial acres of habitat, of wetlands, have been lost. Many more are threatened by future developments. The pace is quickening with developments of various sorts: river developments, land developments, resource developments of various kinds, increasing in numbers and intensity, and this can be projected out for the future. The wildlife, fish, and the plants face the irretrievable loss of their home, to be cast out into a world where there's no longer anyplace to run to.

The members of the Seattle Audubon Society, and the many groups who have spoken to you today, support the national scenic area. We feel that the national scenic area provides a different vision of the future, a vision in which the balance and harmony of the gorge are restored and preserved, where humans are a part of and are participants in the life and beauty of the gorge, and do not seek to master and destroy that which is of value; a future wherein the Park Service oversees a comprehensive management plan which will protect the wetlands and the tributaries which are the lifeblood of the gorge; which will safeguard the scenic treasures and the historic values of the gorge; which provides for the needs of the fish, wildlife, and plants of this beautiful place. It's a vision in which the gorge's flora and fauna are maintained and carrried on, where we fully accept our duty and responsibility to be good stewards of the lands and waters of the gorge.

Thank you.

[The prepared statement of Dr. Rutz follows:]

Seattle
Audubon
Society

Washington Nonprofit Corporation
619 Joshua Green Building • Seattle, WA 98101 • 206/622-6695

Testimony
of Dr. Richard Rutz
Second Vice President, Seattle Audubon Society
before the Public Lands Subcommittee of the
U.S. Senate Committee on Energy and Natural Resources
Stevenson, Washington
November 8, 1984

The 4,000 members of the Seattle Audubon Society are dedicated to the protection and preservation of fish, wildlife, and plant populations and their habitats. The Society and its members are active in city, state, and regional planning efforts where they strongly support the conservation and wise use of energy and natural resources. The Society is pleased to be able to address the Senate Committee on a topic of great concern to its members, the Columbia River Gorge.

The many virtues and values of the Columbia River Gorge greatly exceed the time I am allotted to speak to you today. In realization of this fact, I would like to address the Society's concern for the fish and wildlife of the Gorge.

The Gorge is the meetingplace for several climate zones: the cool and wet maritime, the dry and hot sonoran, the cold subalpine. The juxtaposition and blending of these different climes produces an exceptional diversity of habitat types within the Gorge which supports more than 900 species of plants. The variety of the vegetation in turn provides a rich home for wildlife.

In carving its great gorge the Columbia River provided a sea-level pathway for the movement of animals across the Cascade Range. Many species found ideal conditions for survival within the Gorge, and some continued to reside in the Gorge long after their brethren had left the bordering lands. The inhabitants of the Gorge developed new, unique varieties which in time became species of their own. Today the Gorge is host and home to 69 species of mammals, birds, reptiles, amphibians, and fish which are of special concern in Washington state. Several species are listed on or are candidates for the federal threatened and endangered species list.

Not only the unique but the common animals find haven in the Gorge. Waterfowl such as the wood duck and Canada goose flock to the streams and wetlands along the Columbia River. Deer and beaver, seals and swans are to be seen in the confines of the Gorge. The salmon and steelhead, diminished though their numbers be, still swim the streams.

Rich and diverse, the Gorge has long had the ability to absorb change and still maintain its essential character. But the winds of change are blowing, are threatening to become a gale which will sweep all before it. Substantial acreages of productive wetlands have been lost, and many more wetlands are threatened. Large and small dams, poor land and forestry practices, and overfishing have combined to decimate the fisheries. The pace now is quickening, with river developers, land developers, resource developers of all sorts all increasing the numbers and intensity of their projects. The wildlife, the fish, the plants now face the loss of their ancient home: they are to be cast out into a world which has run out of places to run to.

The members of Seattle Audubon Society and the many conservation, recreation, and citizens groups which sponsor a National Scenic Area see a different future.

It is a future where the balance and harmony of the Gorge are restored and preserved, where humans are a part of and are participants in the life and beauty of the Gorge and do not seek to master and destroy all that is of value. It is a future wherein the National Park Service or Forest Service oversees a comprehensive management plan which protects the wetlands and tributaries which are the lifeblood of the Gorge, which safeguards the scenic treasures, which recognizes and provides for the needs of the fish and wildlife and plants of this beautiful place. It is a vision in which the Gorge, its flora and fauna, scenery and history are maintained and carried on, wherein we fully accept our duty and responsibility to be good stewards of the lands and waters of the Gorge.

To this concept and vision the 4000 members of the Seattle Audubon Society are committed: To the enactment of this concept we request the commitment of the Washington and Oregon Congressional delegations and of the Congress of the United States. Thank you.

Senator EVANS. Thank you. I'm not quite sure now who's going next. The list I have shows Mike Houck from the Portland chapter. If we could try to consolidate testimony to the essential points that you really want to get across to us, and especially anything that's new, it would certainly be helpful to us.

Mr. HOUCK. In fact, I'd like to point out if you follow my testimony you'll find that it differs greatly from my words. What I tried to do prior to coming up here was to focus in on specific questions that you have asked or questions that have been raised. So, what I propose to do is read through what I have now, and type that up, and send it in to you tomorrow.

Senator EVANS. That'll be fine. That would be very helpful.

STATEMENT OF MICHAEL C. HOUCK, AUDUBON SOCIETY OF PORTLAND

Mr. HOUCK. My name is Michael C. Houck. I represent 5,000 members of the Audubon Society of Portland. I will make a brief statement and ask you to read the testimony we presented in March 1984, which you have a copy of there, and urge you to obtain a copy of the "Inventory of Riparian Habitats and Associated Wildlife Along the Columbia and Snake Rivers," prepared for the U.S. Army Corps of Engineers under contract.

As you know, Portland Audubon supports a strong Federal presence in any legislation which manages the Columbia Gorge. I will mention two specific concerns we have, fish and wildlife and local land use.

Why can't we rely on local land-use measures? While I was presenting testimony on fish and wildlife resources of the gorge to Skamania County Commissioners who were considering the George Rizor proposed subdivision, I was interrupted during my testimony by a member of the audience who chastised me for opposing a housing development that would have been built in prime wildlife habitat. This individual, in a tirade of biological and historical revisionism, informed me that before the white man came there was no wildlife, and that, he added, the Indian population was "starving and going blind." I was totally dumbfounded to find this from a local who lives in the gorge, and the sentiment appeared to be shared by most of the local audience. This individual was a local resident and editor of the local newspaper. It was an impassioned plea to allow development which ignored basic biological and historic facts in order to justify economic exploitation. Remember, this is the editor of the local newspaper. This is only one example of what local control without broader regional and Federal influence could mean for the gorge in coming years.

I would like to add I'm supportive of land-use planning and feel that Oregon's land-use law with its goals addresses many issues effectively. I've had experience over the last 3 years conducting urban wildlife habitat studies under contract from the State department of fish and wildlife. I think the existence of 1,000 Friends of Oregon and numerous lawsuits concerning goal 5 issues, which are wildlife habitat and natural resources in Oregon, attest to the inadequacy of land-use process to protect significant natural resources when economic gain is at an issue. I'm referring to the local level here. I will not go through the examples. I've got several written down. There are many examples in Oregon where, because of the nature of goal 5 and land-use laws, if there was enough economic pressure at the local level, those particular resources will be lost. Examples: the administrative rule for goal 5 allows the local jurisdiction to take a significant resource off the inventory without any justification. There are numerous other flaws in land-use planning is what I'd like to point out.

I'd also like to mention one quote from the Corps of Engineers study I mentioned to you which is new information that focused on gorge riparian habitat.

> Some of the riparian habitat samples throughout the Columbia River Gorge had the highest densities ever recorded for bird communities. Ten of the area's censused had 1,000 or more birds per 100 acres during the breeding season. Four of these had densities which exceeded 1,500 birds per 100 acres.

A letter from U.S. Fish and Wildlife in February 1982 commenting on a proposed development in Oregon stated this particular type of habitat is becoming unique due to its scarcity, and that's one of the major habitat issues that we're concerned about in the gorge. I guess the main point I wanted to make is that local land-use planning is not working in Oregon with regard to natural resources in many instances.

Thank you.

[The prepared statement of Mr. Houck follows:]

AUDUBON SOCIETY OF PORTLAND

A Branch of National Audubon Society

PHONE 292-6855 • 5151 NORTHWEST CORNELL ROAD • PORTLAND, OREGON 97210

November 13, 1984

Senator Dan Evans
Subcommittee on Public Lands
and Reserved Water
Energy and Natural Resources Committee
United States Senate

Senator Evans,

During my testimony in Stevons, Washington last seek I said I would forward to you my revised testimony with examples of problems I have encountered with local land use planning efforts to protect significant natural resources. The following is the information I promised to mail you.

I will not repeat the testimony which you received from me last week, but will only fill in those areas where I presented written notes that I was unable to hand in at the hearing.

Portland Audubon Society is supportive of land use planning and feels that Oregon's land use laws with planning Goals address many land use issues adequately. However, I have spent the past three years working on inventory of urban wildife habitats and acting as staff to our conservation committee. I have a great deal of personal experience that raises great doubts concerning the efficacy of local planning efforts to protect even locally significant resources, let alone a resource such as the Columbia River Gorge. There are several examples of land use planning in Oregon which I am personally familiar with that exemplify the tremendous economic pressures that can subvert any protective land use process:

1. Jackson-Frazier Wetlands near Corvallis, Oregon. This 160 acre wetland has been studied more than any other wetland in Oregon (U. S. Fish and Wildlife, EPA, U. S. Army Corps of Engineers, Oregon State Univ. botanists, plants ecologists and others, private wetland consultants) There are nine sensitive plant species in the wetlands. LCDC has directed the county to develope a scheme to protect the wetlands. The county commissioners even went against their own staff to recommend no protection, in defiance of state directives. Economic pressures and conservative politics were responsible.
2. Welches Wetlands, Mt. Hood Oregon. Even though the U. S. Army Corps of Engineers, U. S. Fish and Wildlife and private consultants developed a 160 acre wetland area boundary, the Clackamas County commissioners voted to recognize only 14 acres and not to protect even that. We and 1000 Friends of Oregon are suing the county.
3. I have been working in the City of Beaverton the past year and one-half to help develop a workable wetlands/riparian inventory and natural resource program. The Beaverton Area Chamber of Commerce has attempted with some success to sidetrack the entire process, a program touted by LCDC as one of the best examples of urban wildlife inventory in the state.

If local land use planning could actually be relied on for solving complex and controversial issues 1000 Friends of Oregon would not exist and Portland Audubon Society would not be involved in three on-going suits to force local jurisdictions to obey the law. If you take the approach in the Gorge law suits will be commonplace as environmental organizations seek to ensure adequate resource protection.

I realize you were less than "pleased" to hear my tale of woe concerning my testimony before the Skamania County Commissioners on the Rizor development, but I contend that the point was valid. How could a local editor, presumably relatively influential in his community, hold that there " was no wildlife in the Gorge before the whiteman came and that the indians were starving and going blind?" This blind distrust of land use planning and ignorance of the natural resources at stake, not to mention his racist overtones should not be allowed to rule in the Gorge. There must be a more broad-based planning entity for such a resource and we believe that the Federal Government must take a lead and be actively involved in the process.

The remainder of my testimony dealt with pretty specific information about why Oregon's land use (specifically Goal 5) does not work. I won't bore you with the details unless you wish to hear about them. The bottom line is that local jurisdictions have the option to protect or destroy resources as they see fit, and under the prevailing political climate.

I am hopeful that this clarifies my position and why I mentioned the editor in testimony. I respect your wish to keep tempers down and not play on emotion. On the other hand, the truth needs to be heard as well. The truth is that, as Governor elect Gardner stated, local land use planning in Skamania County is akin to letting someone loose with a bulldozer (my paraphrasing). If you have additional questions conerning land use planning in Oregon I would be happy to give you my impressions or you might contact one of the following people for corroboration of my testimony:

> Ms. Claire Puchy, Goal 5 specialist, Land Conservation Devlopment Commission, Salem Oregon.
>
> Paul Ketchum 1000 Friends of Oregon
>
> Terry Thatcher, National Wildlife Federation Portland, Oregon.

Sincerely,

Michael C Houck

Michael C. Houck

Senator EVANS. Thank you.

Margaret Haggin, Spokane chapter.

STATEMENT OF MARGARET HAGGIN, EDUCATION CHAIR, AUDUBON SOCIETY OF SPOKANE

Ms. HAGGIN. I'm Margaret Haggin, Spokane chapter of the Audubon Society. My testimony is personal views of the Columbia River Gorge.

Long overdue is a congressional bill that will protect most comprehensibly what is left of one of the most beautifully precious gifts of nature in the United States. Greed and jealously on the part of citizens of the area and irresponsibility on the part of many elected local, State, and national officials has resulted in much loss already of many unique sections, never to be reclaimed.

I doubt if there are many people in this audience who have had as long a relationship with the Columbia Gorge as I have. I was 1 year old in 1910 when my family and other relatives made the trip by horse and wagon from Spokane to Portland, giving me my first exposure to this magnificent gift of nature. True, at this age I wasn't consciously aware of the impact of its beauty and significance, but the seeds of conservation must have been planted in me; and then were nurtured over the years when, almost yearly from the time I was 7 until a few years ago, I was treated to an outing somewhere in the gorge by an uncle, a staunch Oregonian and a deep admirer of the gorge. I must have been one of the first to travel over the exquisite Columbia River Highway, and I well remember my anticipation and excitement as I looked forward to each new picture around the next bend. We picnicked at Bridal Veil Falls, we hiked up Oneonta Gorge, we stood in awe at Multnomah Falls, now scarred by commercial enterprise.

A trip to Portland always included an outing to someplace in the gorge. These were the days before the Washington side became a shambles in many places because local officials refused to do any planning. Beacon Rock was a challenge to climb then to get that spectacular view from its summit.

It is hard for me to understand how our Senator and Governors could offer such a weak bill as H.R. 3853, which is just a token effort.

I am from the Spokane Audubon Society and we strongly support the most comprehensive, protective bill possible in the next session of the legislature.

I can't express my indignation strongly enough when I saw that magnificent Columbia River Highway in such a state of deterioration and the encroachment of development in some of the choicest areas.

Oregon officials deserve praise, especially Governor McCall, for trying to stop some development. But, those in Washington, my native State, have been sadly neglectful of their responsibility to posterity. Commercial and other selfish interests have won out.

Thank you.

Senator EVANS. Thank you.

Lynn Herring.

STATEMENT OF LYNN HERRING, CONSERVATION CHAIR, AUDUBON SOCIETY OF PORTLAND

Ms Herring. Thank you, Senator. I'll be brief.

My name is Lynn Herring and I'm here today on behalf of the Portland Audubon Society to urge the enactment of strong Federal legislation to protect and perserve the wildlife, botanical, historical, and scenic resource values of the Columbia River Gorge and the river's tributaries, a position also adopted by the Oregon Audubon Council.

Senator Evans. during the past year we've carefully considered S. 627 and recommend the following principles which should be included in any legislative proposal:

In the national scenic area, the National Park Service, with its long history of resource and people management, should be considered for the lead Federal agency.

A regional commission should have a balance of Federal, State, and local interests, representing a true partnership in management.

Specific limits to expansion of urban areas in the gorge should be included. Only the lands inside of incorporated areas within Washington and urban growth boundaries within Oregon in existence as of October 1, 1984, should be excluded from the national scenic area.

Wildlife and fish should be included in the list of resources specified for protection by the legislation. Important habitat areas as well as botanic areas should be designated as critical land in the act. No further destruction of wetlands, critical habitat, should be allowed. Moreover, interim protection until adoption of a management plan should be extended to all lands in the area, not just those deemed critical.

A specific goal of the legislation should be the protection of the salmon and steelhead runs in the Columbia River system, and should state this to be a responsibility of the Federal Government. Hydroelectric generation facilities on tributary streams to the Columbia River within the national scenic area should be prohibited to protect fisheries. Federal Wild and Scenic River status should be extended to the Columbia River tributaries to protect the fisheries' habitat values.

In conclusion, Portland Audubon reiterates the need for a strong Federal role in the stewardship of the Columbia River Gorge to ensure the protection, conservation, and enhancement of the natural resources.

Thank you, Senator, for the opportunity to comment.

Senator Evans. Thank you.

Andy Stahl, National Wildlife Federation.

STATEMENT OF ANDY STAHL, STAFF FORESTER, NATIONAL WILDLIFE FEDERATION

Mr. Stahl. Thank you, Senator.

I'm the staff forester for the National Wildlife Federation. Timber industry representatives have testified that the proposed would threaten "the economic vitality of highly timber dependent

Columbia Gorge communities." I will examine the merits of this claim.

The economic vitality of these mills primarily depends on two factors: One, the demand for wood products; and two, the relative competitiveness of gorge wood products in contrast to those from other lumber-producing regions. Competitiveness in turn is largerly measured by the cost of production and transportation to the marketplace.

Which of these factors could be affected by the proposed legislation? It is unlikely the demand for wood products would be affected. Demand is largely influenced by interest rates in the short run and national demography in the long run. Neither will be altered by the legislation.

Will the cost of production be affected? Of stumpage, milling, and transportation to the market, stumpage costs appear to be the only production costs that could be affected by the legislation. Stumpage costs are a function of the supply of timber, all else being the same. A precise estimate of stumpage cost changes would require that a market model be developed, but I have made an estimate based on figures from the Industrial Forestry Association.

According to IFA, there are 37,000 acres of private, commercial timberland in the gorge. Assuming, as IFA does, that these acres are all fully stocked with conifers growing at their potential yield and in a regulated age structure, the total annual production would be about 14,500,000 board feet. IFA estimates that mills within the gorge timbershed produce approximately 419 million board feet annually of lumber and other wood products. The timber within the gorge legislation boundaries is about 3 percent of this total. This is insignificant in terms of creating measurable changes in stumpage costs to the local mills.

I conclude that in this extreme case—that is, absolutely no harvesting whatsoever on 37,000 acres of private land—the proposed legislation would have a negligible effect on timber supply available to gorge mills; and, as a corollary, the effect on stumpage costs would not alter the competitive situation of gorge mills.

Insofar as timber is concerned, the proposed legislation does not appear to threaten the economic vitality of highly timber dependent Columbia Gorge communities.

Thank you, Senator.

[The prepared statement of Mr. Stahl follows:]

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503-222-1429

TESTIMONY OF ANDY STAHL, FORESTER BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES

Stevenson, Washington

November 8, 1984

Timber industry representatives have testified that the proposed Columbia Gorge National Scenic Area would threaten "the economic vitality of highly timber-dependent Columbia Gorge communities." Testimony of Mr. Jack R. Brown, Crown Zellerbach Corporation, March 25, 1983. My testimony will examine the merits of this claim.

The Columbia River is a major transportation corridor in the Pacific Northwest. In addition to its transportation advantages, the Gorge area is proximate to a very large area of commercial timberlands in Oregon and Washington. This combination has made the Gorge an attractive location for lumber and plywood mills.

The economic vitality of these mills primarily depends on two factors: (1) the demand for wood products, which in the case of lumber and plywood, is primarily from housing, and (2) the relative competitiveness of Gorge wood products with those from other lumber producing regions. Competitiveness, in turn, is largely measured by the costs of production and transportation to the marketplace. Among the costs of production is the cost of stumpage, that is, standing timber.

Which of these factors could be affected by the proposed National Scenic Area? It is unlikely that the demand for wood products would be affected. Demand is largely influenced by interest rates in the short-run and national demography in the long-run. Neither will be altered by the NSA. Will the costs of production be affected? Of stumpage, milling, and transportation to the market, stumpage costs appear to be the only production cost that could be affected by the NSA.

Stumpage costs are a function of the supply of timber, all else being the same. A precise estimate of stumpage cost changes would require that a market model be developed. But, an initial estimate of the relative change in stumpage costs can be had by examining the expected change in timber supply. I have analyzed an extreme case, assuming that all acres of private forest land within the NSA are totally withdrawn from timber production. Of course, this is an unlikely scenario, but useful for analytical purposes.

According to the Industrial Forestry Association, there are 37,000 acres of private commercial timberland in the Gorge. Assuming, as IFA does, that these acres are all fully stocked with conifers, growing at their potential yield, and in a regulated age-structure, the total annual production would be about 14.5 million board feet.

IFA estimates these mills process approximately 419 million board feet annually. The timber within the Gorge NSA is about three percent of this total. This is insignificant in terms of creating measurable changes in stumpage costs.

I conclude that, in the extreme case, the proposed NSA would have a negligable effect on timber supply available to Gorge mills, and, as a corollary, the effect on stumpage costs would not alter the competitive situation of Gorge mills. Insofar as timber is concerned, the proposed NSA does not appear to "threaten the economic vitality of highly timber-dependent Columbia Gorge communities."

Senator EVANS. Thank you, very much.

Let's start from there. If you do make an assumption that all 37,000 acres are not to be harvested, what would you suggest happen to those acres? The Federal Government buy them?

Mr. STAHL. I think that would probably be the most equitable solution.

Senator EVANS. Do you have any estimate of the cost on something like that?

Mr. STAHL. The cost would probably be substantial, probably in the range of $100 million. That is why I tried to emphasize in my testimony, which was abbreviated, that I did analyze an extreme case and it's only illustrative of the magnitude of the effects on stumpage costs that any lesser form of regulation would entail. I did not mean to imply that legislation would absolutely prohibit harvesting on 37,000 acres.

Senator EVANS. Have you taken into account any of the reductions from the potential harvest which came out of the recent wilderness bill, as well, and the testimony this morning of some who suggested this was cumulative? That any one thing seems to be small, and we immediately forget what was done before and it's an accumulative effect?

Mr. STAHL. Yes, effects of changes in supply on stumpage prices are definitely cumulative, Senator. There have been models developed by the U.S. Forest Service, the timber assessment market model being the preeminent of those, which have been used to estimate ranges of changes in timber supply on the price of stumpage to the mill. When those models are tested, for instance for the Oregon wilderness bill, it was found that the wilderness bill standing on its own for the entire State of Oregon led to a change of about 1 or 2 percent in stumpage prices to the consumers of that stumpage, that is, the mills.

If you make the assumption that gorge mills are dependent on all of the wilderness areas in the State of Oregon and the State of Washington, which clearly they are not because timber does not flow from southern Oregon to the gorge to be processed; but if you were to make that assumption and, the 1- or 2-percent increase to perhaps a 3-percent increase here, you could come up with a high of about a 5-percent increase in stumpage costs. But, I think you have to make a lot of very generous assumption about the decreases in supply that the withdrawals in the northwest have made so far.

But, it is cumulative, yes.

Senator EVANS. I don't know how new some of those models are, but I hope they're better than previous estimates of what would happen to timber prices, you know, very sharp changes happening very rapidly which drove the price of timber way up and then way down. So, sometimes the price of timber is not really very dependent on their immediate supply.

Mr. STAHL. That's certainly true.

Senator EVANS. It's dependent on a whole lot of other things, export markets and a whole lot of other things that are almost impossible to model.

Mr. STAHL. Yes, these particular models are largely a function of national demographic changes in the long run and, therefore, they are really quite inadequate for estimating changes in stumpage costs in the short run, for instance under the influence of short-term market rates, or short-term housing demands, or short-term speculation which was the case in the late seventies.

Senator EVANS. Looking at the 14.5 million board feet in a somewhat different way, that represents a fairly small part. Can you translate an annual production of 14.5 million board feet into jobs that would not be available?

Mr. STAHL. If you assumed that the local mills would reduce their employment in proportion, you would get about a 3-percent reduction in employment, because 14.5 million board feet is about 3 percent of the entire amount of lumber produced by these mills. Now, I don't know what the employment of the local mills is, but that would be about the estimate.

Senator EVANS. Does that include just the mill workers, or have you estimated that as far as loggers, suppliers, and the other people dependent on the timber industry?

Mr. STAHL. If you assume a direct relationship, there would be similarly a 3-percent decline among all of those secondary workers.

Senator EVANS. Can you assume that direct relationship? If you have a mill that depends upon a working circle that is, say, within the gorge, and it happens to be harder hit than others in terms of the amount of timber that they can no longer harvest, 3 percent doesn't mean much on the overall, but if they get hit a lot harder it may put them below a competitive or viable position and lead to closure. So I don't think you can always assume things happen in that nice, modeled, 3 percent across the board. They just don't happen that way.

Mr. STAHL. That's true, Senator, and that's the shortcoming of any model that attempts to look at a very complex situation. It's conceivable, certainly, that there exists a local mill within the gorge area that may be entirely dependent on the 37,000 acres here. In fact, that may be where it gets its only supply. I don't know the name of such a mill. The one that was mentioned earlier in the industry panel that appeared to come the closest had a radius of 70 miles from which it got its timber, which, if I understand the geography of the gorge, would extend beyond these 37,000 acres. It's quite possible a smaller shake mill or smaller local mill may only get its lumber from this very short area, in which case my extreme example that I showed here of a total prohibition on harvest would severely affect that one mill.

Senator EVANS. Ms. Davis, you mentioned the Forest Practices Act was not protection. In what ways is it not sufficient protection?

Ms. CROCKER-DAVIS. I mentioned, and will be submitting with my written comment, a study that DNR released themselves last year, in August, on the adequacy of reforestation practices. They looked at State, industry, and small, private woodlot owners. Reforestation, particularly concerning the small woodlot owner and the practices of those people, showed that they were seriously out of compliance with the act. If you look at the enforcement capability that DNR has on that act, you'll see that regardless of whether or not you accept protections written in the statute as adequate, and there's debate over that, they are not being enforced, particularly in terms of reforestation, in terms of the long-term ability of the land to sustain a harvest. That's significant to us.

Also, DNR has recently, and we will again be submitting them, released studies on cumulative impacts of forest practices and a study on the riparian areas. Both of those show that there are significant problems in the context of the act in providing adequate protection in those areas.

Senator EVANS. It seems the studies that you're mentioning, especially the specifics, talk more about the act not being lived up to rather than the act being inadequate on its face, and that enforcement was the problem. The involvement of the Forest Service as a major Federal entity in this whole planning effort I doubt would bring any further enforcement, unless we hire a whole new bunch of forest policemen. I don't see that Federal involvement at the level and of the type being suggested would bring with it a whole lot more enforcement on whatever act is set up.

Ms. CROCKER-DAVIS. Well, I think the issue of enforcement of the existing act and our concerns with it go far beyond the gorge itself. The statement, however, has been made very strongly by the industry that the act is sufficient in itself. There is not even technical——

Senator EVANS. When you say enforcement is the problem, that's not saying the act isn't sufficient.

Ms. CROCKER-DAVIS. Enforcement is part of the problem, it's not all of it. There are other problems. There's not even sufficient technical staff at DNR to assess lands based on their sensitivity, say for water quality, hydrogeology. Some of the major problems we're seeing in places, for instance, like Deer Creek.

Senator EVANS. Well, are there likely to be if we pass gorge legislation any more people in the area who are technically oriented and available to do that kind of thing?

Ms. CROCKER-DAVIS. It is possible, depending on the type of legislation, that the forest practices that would be required in the gorge area could be made more stringent.

Senator EVANS. Well, what good does it do to make them more stringent if the problem is enforcement? You can make them as stringent as you want. You can say you can't cut a tree down, but if nobody pays any attention, that doesn't help.

Ms. CROCKER-DAVIS. It would offer avenues for us to appeal if those practices were not being lived up to. One of the issues for us is that a management plan for the gorge area, both in terms of forest practices, land use, or anything else, be specifically outlined enough in any piece of legislation that we would know what those criteria would be, how they might differ, how they might be more restrictive than the State Forest Practices Act in other areas of the State. One of the reasons that we have tried to remain flexible rather than endorsing a specific bill is simply to set these criteria out, see if there can be some more creative or new ways, as you have said, to approach what is a unique problem. Forest practices are part of that, particularly for the riparian areas which support overall about 70 percent of the wildlife. It's critical that we maintain those.

Senator EVANS. Is the Audubon Society at this time appealing any of the apparent lack of enforcement of the State Forest Practices Act?

Ms. CROCKER-DAVIS. Yes; Seattle Audubon is involved specifically in some DNR appeals and litigation, and Dr. Rutz can give you those details or we can submit them in writing.

Senator EVANS. If you could submit them, that would be helpful.

Ms. CROCKER-DAVIS. Yes.

Senator EVANS. I might just say before we close, and this isn't intended to apply paticularly or precisely to this panel, but I've found that in a lot of the testimony coming from both sides, and I must say that it makes me uncomfortable when we talk of greed, and jealousy, and irresponsibility, and local pressures, and prejudices, and personal accounts of people who apparently have a different view, I don't think it adds much to testimony and, frankly, does not add much to my support to have that kind of testimony. As I say, I've been meaning to say this for some time during the day. What we're looking for are ideas. We are looking for something that is positive, something that will carry us forward. I think that grates on people just as I suspect you would feel grated upon if someone gets up here and says a bunch of quiche-eating foreigners are coming in here trying to use this as a playground for urbanites. That kind of thing I've heard from both sides and I guess I should just hope we're looking forward for some place for everybody to get together.

Mr. HOUCK. Senator, could I just make a comment relating to that, germane to what you just said?

Senator EVANS. Well, if it'll help.

Mr. HOUCK. I hope. I can't help but feel your comment was directed, to a certain extent, to me. The point I wanted to make, and there are many examples in the State of Oregon where we have, supposedly, very strong land-use laws and goals to protect natural resources, that even if those natural resources are described by a number of agencies as being extremely significant, the local planning department can be, and in many cases is, brought under incredible external pressures due to economic factors in that community, and the decisions that are made regarding those natural resources are made with a big "E"; on the economic end of the analysis of the importance of that resource. Those resources are often lost through those economic pressures at that level.

Senator EVANS. I understand that as a problem and that's an appropriate way to put it. I understand that as a problem. I suspect it is just as bad for an agency totally remote from a community to make decisions not taking into account some of those same economic and other pressures. In other words, you can't ignore them. Neither should they overwhelm good planning sense and responsibilities.

I think that's why we can't aim for a proposition where some overriding body is going to make all the decisions for a local community, nor can we probably ignore the fact that we've got a unique resource. We have to find some way to set some standards that represent a cooperative effort.

OK, thank you, very much.

Before the next panel comes up we do have a special opportunity, and I'm going to make it a special opportunity, because the next testimony from Gertrude Glutsch Jensen comes from someone who probably has as long a history regarding the gorge and its protection as anyone, and has written extensively on it. It is a privilege to hear from you and we're delighted to make this a special occasion.

STATEMENT OF GERTRUDE GLUTSCH JENSEN, PORTLAND, OR

Ms. JENSEN. Senator Evans, it's a privilege to appear before you. But, there are some things here that have been misrepresented, and before I read my short statement I must correct them.

There is a great power of suggestion and insinuation, and it was insinuated and said here a lot about Multnomah Falls. I have given 35 years of my life and my fortune toward the conservation of the gorge.

The papers I promised to send over to you through Cleo I have given to her, so you can read them on the plane when you go back, and I know you'll read them with a great deal of interest because you love our Northwest.

Multnomah Falls, I sweat blood over getting those watersheds in the gorge. That was my great concern, the beautiful blue-green trees, the fir trees, to save those, all of those watersheds in the gorge are saved. Multnomah Falls is saved. All the waterfalls are saved. The last two that were acquired were Bridal Veil Falls and Cooper Falls. Every waterfall in the gorge is saved, all the watersheds, and don't let anybody tell you otherwise.

Crown Zellerbach, before I came in the picture 35 years ago, traded 14,000 acres up in Mutnomah Falls basin with the Forest Service for lands not in the gorge or within a 50-mile radius. Then there were about 1,000 acres up there that were still privately owned, and it took me years and years and years to bring about those exchanges.

So, when they talk to you about Multnomah Falls, and waterfalls, and all of this bulldozing and bamboozling, it makes me really angry, because I have done the work, I have done the leadership with the aid of the Portland Women's Forum and 98 women's organizations in Portland, and also many Federal, county, and State agencies. The job is done and it is well done, but I didn't do it alone.

As far as the Washington side is concerned, it is a logical place for homes. There are a Washington Shorelines Act, as you know. There are the wonderful county commissioners of Skamania County, and the citizens of this area who are proud of their heritage, and who have protected it and will always protect it. What is wrong with a home? What if it can be seen from across the river, maybe 1½ miles across there? What is all this about? I can't understand it. Sometimes I think it's much ado about nothing. Leave it as it is.

There's a comprehensive plan that Skamania County has. There's the Bonneville Power Co. contract clause that if any industry up here pollutes the air or pollutes the scenery, no power. That's how I got that steel junk mill from going in across the river at Cascade Locks, if you remember that.

Someday Vancouver, Portland, Camas, and Washougal will all be a megalopolis, one big city. It's coming. It can't fail to come because this is a very beautiful country. People see this Northwest and they all want to come back. I know you'll be glad when you're back here, too.

Now I shall read my statement, of which I've given 15 copies to your secretary.

My name is Gertrude Glutsch Jensen and for the past 36 years I have devoted my life to the preservation of the Columbia River Gorge. I helped to establish the original Columbia River Gorge Commission in Oregon and a similar commission in Washington State.

I am a 1961 recipient of the Department of the Interior's Conservation Service Award, the Nation's highest award for conservation. Only four were given that year, and one was to the National Geographic Society.

I was for 16 years chairman of the Oregon Columbia River Gorge Commission. During my tenure, many sensitive areas on the Oregon side of the Columbia River were preserved for public use for all time. This was accomplished by voluntary land trades and never with the threat of condemnation. In the Congressional Record, which is among the papers I left with your secretary, you will see how it was done.

I also cooperated with my Washington neighbors in preserving the Gorge. There is now no polluting industry or unsightly development. The people of Skamania County have worked to preserve their heritage. All six counties have done a fine job. In my opinion, Skamania County has done the best job of any of the counties lying within the Gorge.

When legislation was introduced by Senator Packwood to create a national scenic area, the group called Friends of the Gorge circulated a synopsis which presented the bill as a mild, benevolent proposal to assure orderly growth in the gorge. It was only when I obtained a copy of the bill—that's Packwood's bill—and read the fine print, which is like in an insurance policy, that I learned to my horror that the legislation was intended to take over the beautiful Skamania County area by condemnation if necessary, and to prevent people from living anywhere except in the two incorporated towns of Stevenson and North Bonneville.

I am completely opposed to this concept of government by appointed committee. I am opposed to any legislation which would arm a few environmental extremists with the awesome power of the Federal Government to uproot people from their homes, destroy the historic lifestyles of Skamania County residents and make of the Columbia River Gorge a static picture postcard to be looked at but not lived in.

The so-called Governors' bill appears written by the same hand and provides a similar strangulation of historic values. The Columbia Gorge needs neither bill.

The people of Skamania County have maintained the beauty of the gorge and will continue to do so. The Columbia River gorge Commission should continue as an advisory body in a watchdog capacity, but should be armed with no Federal authority whatever.

I am for continued local control. The people themselves have done a good job. Just a parting thought: A wise man, a philosopher, once said: "If it ain't broke, don't fix it."

Senator EVANS. Thank you, very much. [Applause.]

I'll accept that as long-term recognition of your splendid efforts which have preserved as much of the gorge as we do have now. Thank you, very much, Ms. Jensen, for coming and testifying.

Now, will the next panel come forward? Carroll Davis, Sue Hall, Barbara O'Neill, Dr. Bruce Schwartz, Dennis White, Lucille Wyers, and Chuck Williams.

The next group, up forward, John Fisher, Blanche Barnes, Rodger Nichols, Lorraine Maras, and Carol Royce.

All right, let's begin with Carroll Davis, president of the Columbia Gorge Coalition.

STATEMENT OF CARROLL DAVIS, PRESIDENT, COLUMBIA GORGE COALITION

Mr. DAVIS. Senator Evans and your committee, we thank you for the opportunity to make a contribution to your presentation. I must admire your patience, sir, I'm tired and I've just been listening. If you don't mind, I would like to just paraphrase mine for reasons of brevity.

The Columbia Gorge Coalition favors the establishment of a national scenic area. The Columbia Gorge is a significant national and international geologic and scenic area. We must recognize the magnitude of that fact. As a mere sea-level corridor through the Cascade Range, it is natural for economic and cultural development to have occurred here. That development's existence must be recognized and we must be sensitive to it. There has been an evolution and an acceleration of development of all types—subdivision, housing, surface mining, highway development—in the area. The obvious and ultimate outcome of uncontrolled development would be major degradation of the environment.

Some controls exist in Oregon. The Moutain Hood National Forest scenic protection policy is to be admired and we appreciate it. Land use planning exists in Oregon. In many situations, it's doing a good job of protection. However, there are problems. As Commissioner Mills stated, the scenic overlay is threatened by the Oregon Department of Forestry and the timber industry at the present time. Little broad and general planning occurs in the State of Washington, and areas of private ownership are greater in Washington.

Two States and six counties and many towns would be unlikely to cooperate to effect a coordinated protection plan. Note that I said "unlikely." I'm not going to say impossible—you asked that question a while back, sir, but unlikely. Federal management must occur if total gorge protection is to occur. Our suggested plan will come out later as we go through our presentation.

One addendum. There's a question of what lead agency we should like to have in effect. I think Andy Kerr spoke well to it. We favor the National Park Service, even though the U.S. Forest Service has large holdings in the gorge. Several of us have had associations with that agency, the National Park Service, and know it to be an agency experienced in the administration of such areas, and dedicated to the advancing of human experience through interpretive services.

Thank you, sir.

[The prepared statement of Mr. Davis follows:]

Stevenson, Washinton
November 8th, 1984

Senator Dan Evans
Columbia Gorge Review Committee

I am Carroll Davis from Hood River, Oregon. I wish to make a statement favorable to the establishment of a Columbia Gorge National Scenic Area. In doing so I represent the Columbia Gorge Coalition.

Let me *qualify* the basis for my position. I have lived near Hood River for nineteen years. My family decided to live here because of the scenic grandeur of The Gorge. I have been a participant in land use planning both in the development of the Hood River County Comprehensive plan and as a planning commissioner. I have been involved in the Columbia Gorge protective effort since the National Park Service study was made. I have extensively traveled in the United States and recognize the Columbia Gorge as one of our nations great geologic and scenic features.

A great sea level corridor through the Cascade Mountains must have human development, even if only transportation routes. It is natural for people to live and carry out their life activities here. But to do so without sacrificing the environment some compromises must be made. Since I have lived here I have seen great changes made. There seems to be an acceleration of development. Highway systems have been expanded. Surface mining has spread & enlarged. Large visible clear cuts occur. And subdivision and housing developments have increased. The logical end to this is an increasing modification and destruction of the scenic gorge.

Fortunately there are some controls. The Mount Hood National Forest has long record of scenic protection in The Gorge. Oregons land use planning laws have caused Oregon counties to create comprehensive plans. Hood River County's Columbia Gorge plan include scenic protection. But these plans are not fool proof. Plans must be reviewed every five years. The timber industry & the Oregon State Dept. of Forestry are contesting scenic overlays on land zoned forest. Even the whole land use planning system in Oregon has been twice contested.

In Washington planning may be local. But there is no general mandate about planning. Economic development seems to be largely indiscriminate in Washington. More private holding exist. The Gifford Pinchot National Forest has smaller holdings in The Gorge than the Mt. Hood National Forest, and they seem to be more concerned about the timber harvest than about scenic protection. The state of Washington has lesser protective controls in the Columbia Gorge than does Oregon.

The Columbia Gorge is an area of national & international geologic and scenic significance. It can not be properly protected as long as its destiny is devided between two states, six counties, and many towns— and with no unifying plan of protection. For this reason protection must come from the federal level. We are assured that Senater Packwood will reintroduce a Columbia Gorge protection bill. We are assured that Senater Hatfield will support it. What we need now is a commitment of important political figures from Washington to also support such a bill. We at this time appeal to you to do so.

Senator EVANS. Thank you very much.
Sue Hall.

STATEMENT OF SUE HALL, DIRECTOR, FRIENDS OF INDIAN HEAVEN, AND MEMBER, COLUMBIA GORGE COALITION

Ms. HALL. Thank you, Senator, for the opportunity to speak. I am a resident of the Snowden community of the White Salmon area. As director of the Friends of Indian Heaven and employee for the Columbia Gorge Coalition, I work to protect wild and scenic areas of my homeland here in the Northwest.

I support the coalition's proposal for the creation of a national scenic area for the Columbia River Gorge. I believe a balance of powers and responsibilities between a Federal lead agency and a regional commission is the most workable solution to ensure protection for the most spectacular expanse of the Columbia River known as the gorge.

I would like to submit to you a map of an exceptionally beautiful area of the gorge. Burdoin Mountain rises to the east of White Salmon and is being visibly degraded with mobile home developments. While the mountain is zoned 20 acre, open space, this property ownership map reflects what little respect our county commissioners have for zoning in scenically sensitive areas of the gorge. Without regard to the Burdoin Mountain environmental assessment of 1980 that states, "this area is not suitable for high density development," our county commissioners have turned their heads while a local White Salmon developer has sold short-platted parcels prior to county approval. Roads, utilities, and a community water system have been developed, circumventing the subdivision laws of the State of Washington through the use of multiple and illegal short plats as shown in red on the map. The extent of the fast-buck building boom on Burdoin Mountain is only beginning to surface, blatantly, in full view from Oregon State Highway 84.

I have a picture of a mobile home, which the developer is also an agent for, that is in violation of the county's own gorge protection overlay zone, ordinance 62678, section 2.25:6(4):

> All structures within the Gorge protection area shall be set back so as not to infringe upon the skyline as viewed from State Highway 14, Interstate 84 or the Columbia River. In reaching a decision on the setback, the planning director may also take into consideration landscaping plans to be completed after construction.

This mobile home is obtrusive to the ridgeline and no vegetation regeneration has occurred months after placement.

Senator EVANS. Could you try to wrap up? You've exceeded the time period.

Ms. HALL. OK. Prior to these mobile home developments and the subdivision of land, the residents of Burdoin Mountain built their home compatibly with the land, nestled in among the trees, enjoying the rural lifestyle they chose. Now they face crowding, water shortages, wildlife depletion, and noise pollution. Repeatedly they have voiced opposition to their county commissioners on the increased short platting that they feel would significantly alter the natural characteristics that make Burdoin Mountain a pleasing and healthful place to live. Their voices have gone unheard. The county commissioners approved six more short plats this summer as shown in yellow on the map. A suit has now been filed against the county for this action.

It has taken a costly legal suit and State representative pressure to make our county commissioners hear the voices of local residents. This example, Senator Evans, is the kind of protection the local county gorge protection zone offers.

Thank you.

[The prepared statement of Ms. Hall follows:]

TESTIMONY OF SUE HALL FOR FRIENDS OF INDIAN HEAVEN AND THE COLUMBIA GORGE COALITION BEFORE SENATOR EVANS HEARING IN STEVENSON, WASHINGTON ON NOVEMBER 8, 1984.

I am a resident of the Snowden Community of the White Salmon area. As director of the Friends of Indian Heaven and employee for the Columbia Gorge Coalition, I work to protect wild and scenic areas of my homeland here in the Northwest. I support the Coalition's proposal for the creation of a National Scenic Area for the Columbia River Gorge. I believe a balance of powers and responsibilities between a federal lead agency and a regional commission is the most workable solution to insure protection for the most spectacular expanse of the Columbia River, known as the "Gorge".

I would like to submit to you a map of an exceptionally beautiful area of the Gorge. Burdion Mountian rises to the East of White Salmon and is being visiblly degraded with mobil home developments. While the mountian is zoned 20 ac. Open Space, this property ownership map reflects what little respect our County Commissioners have for zoning in scenically sensetive areas of the Gorge. Without regard to the Burdion Mountian Environmental Assessment of 1980 that states"" this area is not suitable for high density development, our County Commissioners have turned their heads while local White Salmon developer has sold short platted parcels prior to County approval. Roads, utilities and a community water system have been developed circumventing the subdivision laws of the State of Washington through the use of multiple and illegal short plats. The extent of the fast buck building boom on Burdion Mountian is only beginning to surface, blatently in full view from OR State Hwy. 84. I submit a picture of a Mobil home (which the developer is also an agent for) that is in violation of the County's own Gorge Protection Overlay Zone. Ordinance # 62678, Sec. 2.25:6 (4) All structures within the Gorge Protection area shall be set back so as to not infringe upon the skyline as viewed from State Rt. 14, Interstate 84N or the Columbia River. In reaching a decision on the setback, the planning director may also take into consideration landscaping plans to be completed after construction." This mobil home is obtrusive to the ridgeline and no vegetation regeneration has occured months after placement.

Prior to these mobil home developments and the subdivision of land, the residents of Burdion Mountian built their homes compatiblly with the land, nestled in among the trees, enjoying the rural lifestyle they chose. Now they face crowding, water shortages, wildlife depletion and noise pollution. Repeatedly they have voiced opposition to their County Commissioners on the increased short platting that they feel would significantly alter the natural characterists that make Burdion Mountian a pleasing and healthful place to live. Their voices have gone unheard. The County Commissioners approved six more short plats this summer, as shown in yellow on the map. A suit has now been filed against the County for this action.

It has taken a costly legal suit and State Representative pressure to make our County Commissioners hear the voices of local residents. This example, Senator Evans is one of many typical of County Commissioners throughout the Gorge. If we are left to local County control, there will be no control. The past and present degration of the Gorge should speak for it's self. ~~There will not be much~~ This map should speak for it's self. There will not be much left of the Gorge if local control is not over seen by the National Park Service for all the generations to come.

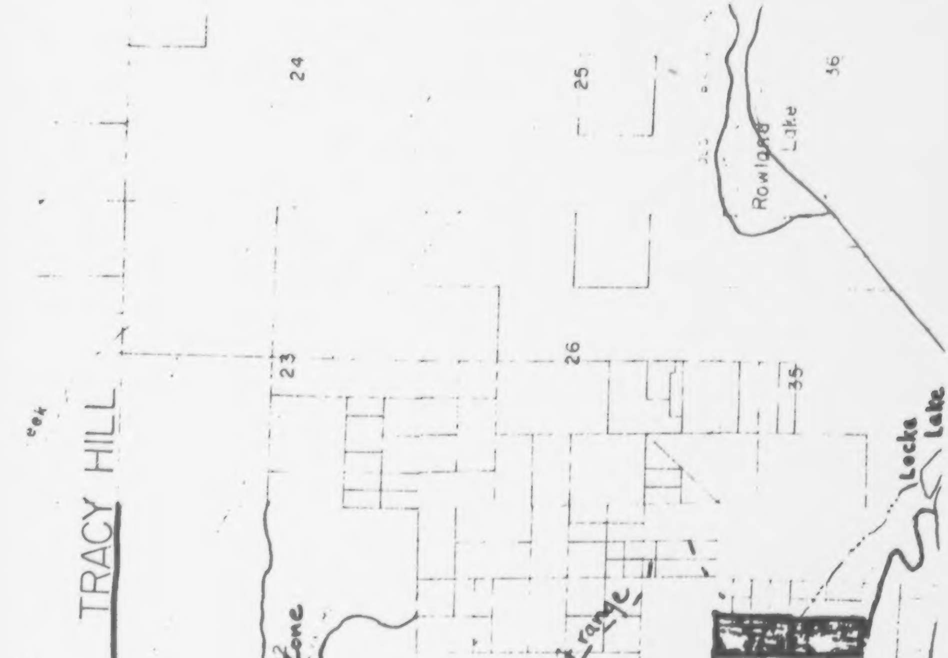
Thank you for this opportunity to speak.

TESTIMONY OF SUE HALL FOR FRIENDS OF INDIAN HEAVEN AND THE COLUMBIA GORGE COALITION

BEFORE SENATOR EVANS HEARING IN STEVENSON, WASHINGTON ON NOVEMBER 8, 1984

My interest goes beyond areas of only scenic viewshed in the Gorge. I think it is pertinent that Burdion mountian/ Catherine Creek/ Major Creek drainages be protected in legislation to preserve the botanical beauty, critical wildlife habitat, spectacular geologic formations and important archaeological sites thay offer. These sensetive oak woodlands are a unique ecosystem that is represented no where else in the Gorge. It would be a great asset to the nearby communities of Bingen and Lyle to have this incredible part of the Gorge in public ownership. The trailheads at the West end of the Gorge are packed each weekend; It is time the eastern end of the Gorge be recognized for it's incredible beauty and given the protection it so deserves.

These beautiful oak woodlands are known to many who frequent them as "The Parks." They are indeed of National Scenic Area quality.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Senator EVANS. Thank you, very much.

Next is Barbara O'Neill.

STATEMENT OF BARBARA O'NEILL, FRIENDS OF INDIAN HEAVEN AND COLUMBIA GORGE COALITION

Ms. O'NEILL. Senator Evans. I'm Barbara O'Neill, a native of Hood River, and I have personally observed many, many changes in the Columbia Gorge.

Many residents of both Oregon and Washington have chosen to live in the gorge area for the unique advantages offered to them.

We have delayed too long in establishing a good plan for the Oregon-Washington corridor. We must do something positive now or we will have adverse problems to be solved at a later date. Trying to solve or remedy a bad situation is more difficult at a later date, and sometimes impossible. Using foresight now permits a thoughtful, balanced plan and evaluation, eliminating many potential problems. It is important we don't waste this natural resource.

Lake Tahoe, CA, is a prime example of destruction of a beautiful area due to lack of good planning and controls. My personal observation over a long period of time of this destruction resulted in my determination not to permit a repeat of this for the Columbia Gorge.

Wells Island is an example in the immediate area of Hood River of conflicting planning goals. This island was originally part of the sand dunes along the Columbia River Long Slough. With building of the Bonneville Dam, Wells Island was the only remaining area of 50-odd acres, and this is about 11 acres above flood plain.

The island became a wildlife habitat for geese, ducks, heron, swan, and beavers. The cottonwood trees are used by the heron for their rookery.

The Port Commission, the present owners, want to develop the island with a hotel, restaurant, trails, and nature center. The overriding concern is that development is essential to the local economy. Yet it is overlooked that an unspoiled area, underdeveloped, may do more for the economy as a nature center than development would.

Personally, my objection to total local control is the changes in attitude by each new governing body. The inconsistencies of a local and changing governing body would mean possible changes or new direction with each new group. For the Columbia Gorge, we will need a well-conceived plan with consistent direction.

The National Park Service, combined with local citizens, could maintain a good plan for the scenic corridor of the Columbia Gorge.

Thank you.

Senator EVANS. Thank you, very much, Ms. O'Neill.

Dr. Bruce Schwartz.

STATEMENT OF DR. C. BRUCE SCHWARTZ, COLUMBIA GORGE COALITION

Dr. SCHWARTZ. Senator, my name is Bruce Schwartz and I live in The Dalles, OR. I feel there needs to be a single, overall, management plan governing land use decisions in the gorge. The plan needs input from all levels of government, but a unified viewpoint is necessary to ensure protection for the future.

A few years ago a zirconium plant was to be built up the river at Dallesport, WA. The promise of jobs and more money in the local economy seemed to drown out concerns for potential air pollution, ground water pollution and potential odor. I was the president of a local citizens organization that extensively studied the plant process, obtained multiple engineering consultants and, through legal means, secured provisions in the operating permit to curtail odor and reduce sulfur oxide levels to a level that could be tolerated by the airshed and by the company itself. The plant chose to move to Utah where regulations were less stringent, but the plant had odor problems and pollution problems. I feel that with a strong, overall plan this plant would have known exactly what the environmental standards were, and could have either chosen to come here and meet them, or move elsewhere and not. I think it would have also spared us an ugly and very costly experience.

In the future I believe our lands will have to be passed on to those who come after us in the same or better state than the way we inherited them. We no longer will have the right to exploit our resources for our own personal gains. In an area such as this, where the good of us all is served by keeping it beautiful, this becomes critical. The dams on the Columbia River, the railroads on each side of the river, and the towns and roads on each side of the river haven't helped the beauty of the gorge, but I believe they've helped most of the people in this area. Everytime I drive to Portland on the other side of the river, I can't help but feel sad for the owners of the beautiful farms and lands that were cut and divided by the interstate highway. These people weren't helped by the development.

I can accept that for the benefit of us all certain individuals' rights are subordinated. What I cannot accept is a landowner may clearcut some steep slopes, subdivide for houses or permanently damage the beauty of our lands only for the profit for themselves and a few others. The rest of us lose and the rights of society are subordinated to the rights of a few. I realize that everyone isn't going to benefit by strong Federal control here, but I know that most of us will, and I know that future societies who inherit this land will also.

Thank you.

[The prepared statement of Dr. Schwartz follows:]

TESTIMONY OF C. BRUCE SCHWARTZ
OF THE COLUMIBA GORGE COALITION
BEFORE SENATOR DAN EVANS
NOVEMBER 8, 1984

My name is Bruce Schwartz and I live in The Dalles, Oregon in the Columbia River Gorge. In the future if there isn't a single governing body dictating and enforcing land use here in the Columbia River Gorge there will be significant adverse changes that will occur such to mar the beauty of this landscape forever.

I feel that leaving the responsibility for making such land use choices solely with the local officials is very unwise. These officials aren't necessarily educated to make these types of decisions, frequently lack sufficient monetary resources to get appropriate additional information, lack guidelines for making the decisions, and are frequently pressured by the desire to be reappointed or re-elected such that wrong choices are made often. These wrong choices will be evident permanently. At the present the track record for local land use decisions in much of the Gorge is deplorable.

A few years ago a zirconium plant was to be built up the river at Dallesport, Washington; local permits were obtained quickly as the promise of more jobs and more money into the local economy drowned out any concerns for its potential air pollution, ground water pollution, or potential odor. I became the president of a local citizen's organization that thoroughly studied the plant process, obtained knowledgeable engineering consultants, and through legal means secured provisions in the operating permit to curtail odor and reduce sulfur oxides to a level that could be tolerated by this air shed. This was a level that the plant could obtain as well. Rather than live with the provisions of this permit the plant chose to move to Utah where it was built, polluted, and caused odors such that local residents were outraged. For the good of few the entire community had to live with the odor. With a strong federal role here this industry would have known exactly what the environmental limits were and could either choose to meet them or not. These communities could have been spared this ugly confrontation and troubled experience.

If we are to pass the beauty of this landscape on to future generations our attitude about land ownership will have to change. We will have to begin seeing ourselves as stewards of the land rather than possessors. The land will have to be passed on to those who come after us in the same state that we inherited it or hopefully improved. We no longer will have the right to exploit it for our own personal gains. In an area such as the Columbia River Gorge where the good of us all is served by keeping it beautiful, this concept becomes critical. To treat it otherwise is to seal the fate of one of the world's most beautiful areas. I think we all agree that the land and the air need this type of protection.

The dams on the Columbia River and the railroads on each side of the river and the roads and towns lining both sides of the river haven't helped the beauty of the Gorge yet I believe have helped most of the people in this and other areas in the Northwest. It hasn't helped everyone in this area however. Everytime I drive to Portland on the Oregon side of the river I can't help but feel sad for the owners of the beautiful farms and lands that were cut and divided by the interstate highway. I don't think they were helped by this development.

I can accept that for the benefit of us all certain individual rights were subordinated; what I cannot accept is that when a landowner in the Gorge wants to clear cut, subdivide, or permanently damage the beauty of their land he profits as well as the few that the benefits trickle down to. The rest of us lose, not only now but the rest of those to come. The rights of society are subordinated to the rights of a few.

As a landowner in the Gorge and as a person who makes their livelihood in the Gorge I have some mixed feelings about federal involvement. I realize that everyone isn't going to benefit by strong federal control but I know that society as a whole will and future societies who inherit the land will. Please do everything in your power to help preserve it for us.

Senator EVANS. Thank you.
Next is Dennis White.

STATEMENT OF DENNIS A. WHITE, COLUMBIA GORGE COALITION

Mr. WHITE. I'd like to thank you, Senator, for providing the opportunity for me to come down here today and express my feelings relative to this issue. My name is Dennis White. I am a Klickitat County resident, living with my wife and daughter a few miles north of White Salmon. During the fall, winter, and spring months, I teach in one of the local public schools. During the summer months and other spare time I manage a small, commercial orchard. I will be directly affected by any Gorge legislation.

Senator, if one stands atop a vantage point in White Salmon and looks east to Burdoin Mountain, they will see on the ridgeline recently installed prefab homes, silhouetted like crackerboxes against the sky. If they would look south across the Columbia and east of Hood River, they would see gaping craters, the result of basalt escarpment being blasted away for roadway gravel. If they would look west to Underwood Mountain just east of White Salmon, they would see the smoldering fires of timber slash from a recent clearcut that partially denuded the top of the mountain.

The community of White Salmon had absolutely nothing to say in regard to these activities. They were simply acts of scenic degradation committed independent of and in disregard for the possible wishes of our community.

For a community plagued by the up's and down's of a vacillating, timber-based economy, for a community searching for a new economic identity centered around tourist dollars, these new visual blights only reflect the ironic but sad legacy of local political and economic interests performing at their uncoordinated, disjointed best. Tourists do not come to see gravel pits, clearcuts, and sprawling subdivisons.

We are not here to point fingers, call names or assign blame. We are here to represent reality, that is, that local government entities in the gorge have in the past, are presently doing, and will in all probability in the future gravitate to short-term economics—exploitation of readily available resources.

Here then lies the necessity of a Federal role in management; first, to bring attention to the problem which it has; second, to provide the directives for all gorge interests to come together to forge mutual goals, and to draft a comprehensive plan for a unified effort in gorge management; third, to provide the money for acquisition of available critical lands, and to force adhesion to the mutually agreed-upon management plan. It is quite reasonable for a New York resident, for instance, to contribute through the Federal Treasury for the gorge; but then, of course, to expect their Federal Government to protect their investment.

A couple of specific points here. As a result of my 8 years involvement in attempting to thwart our PUD's stated moral obligation to construct a number of dams and powerhouses on the White Salmon River, I have come to know the pulse of the White Salmon River Valley residents. Many of these residents have expressed a concern that gorge legislation may force development up the valley, and have asked me to lobby for the White Salmon River to be included in a gorge tributary legislative package.

Inclusion of the White Salmon River in gorge legislation in some form of wild and/or scenic designation will help bring about the stated wishes of valley residents—that is, to keep the river flowing free for irrigation, recreation, anadromous fishery and scenic values.

Timber harvesting should not be exempt in any gorge legislation. It is perhaps visually the dominant land use in the gorge and, thus, potentially could have the greatest physical impacts. We are asking for a compromise of all other land uses in gorge preservation, the timber interests should get no special consideration.

In closing, Senator, I would like to extend the challenge for you to summon the skills and abilities that you have aptly demonstrated as our former Governor and present Senator to bring about an expedient, meaningful, equitable solution to the gorge issue.

Senator **Evans**. Thank you.

Lucile Wyers.

STATEMENT OF LUCILE WYERS, STEVENSON, WA

Ms. **Wyers**. My name is Lucile Wyers. By accident of birth and marriage, I have been privileged to live on a bluff overlooking the Columbia River and Wells Island for 47 years. I wish and hope to be able to pass this heritage along to my descendants, as well as to those of persons unknown. We appreciate your coming here today to listen to us because we know that time is running out. My husband and I resisted through the years selling off bits and pieces of the land along the river so that we could enjoy the vegetation and animal and birdlife ourselves. However, since his death I've discovered the importance of keeping this area undeveloped, as it is, for other people, even though the money it might bring would probably make my life a bit easier.

Now, if you don't mind, I'd like to just skip over the rest of the part about Wells Island because I feel that's been quite well covered by Barbara O'Neill, and all of the other testimony here today, would just be repeating. The other testimony has expressed my thoughts and wishes in what I'm trying to say.

We surely can and will solve the problems of preserving the beauty of the gorge while maintaining sufficient jobs to support those already living here if we decide to work together. It was not the intention of the legislation proposed by the gorge coalition to interfere with cities over their lands and urban growth boundaries. We recognized from the beginning there would be changes and improvements in our plan.

Thank you for listening to my point of view.

[The prepared statement of Ms. Wyers follows:]

Testimony of Lucile Wyers at Stephenson, Washington---Nov. 8, 1984

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By accident of birth and marriage, I have lived on the bluff over looking the Columbia River and Wells Island for 47 years. I wish and hope to be Able to - pass this hertitage on to my own decendants as well as those of persons unknown. We appreciate your coming here today to listen to us becaus we know that time is running out. My husband and I resisted through the years selling off bits and pieces of The land along the river so that we could enjoy the vegetation and animal and bird life ourselves. Since his death I have discovered the importance of keeping this area undeveloped as it is, even though the money it might bring would probably make my life a bit easier.

I give the above facts in order to establish a bit of credentials for speak--ing in favor of Federal help in the Gorge. I object to use of the phrse "Federal" because That is mis-leading as to the intention and direction of the legislation that our group The Columbia Gorge Coalition is proposing. However, it has be-coming become the buzz word that divides opinions in this area, and I must use it to identify my point of view. We ask your help because we "local" people have been unable to agree on a viable plan in the 30 years that some of us have been trying to .

Wells Island is a joy to look at any time of the year and it is the nesting site for a large Blue Heron rookery. The use of the Island by the Candian Geese is well known, and their comings and goings are much enjoyed by the people in this area. There really isn't time here to extoll all the beauties and possiblities. but because of where I live, I am constantly bombarded by comments from Hood River residnts that they do not want any development on the Island. Some remember the fun they had playing and hiking their in their own youth. others appreciate knowing that there is a refuge for the birds and animals. The Port of Hood River page 2 Lucile Hyles

and City of Hood River ~~and~~ are trying to agree on a plan and we really do appreciate ~~those~~ their work. It is the publicity generated by their meeting that has caused so many people to speak to me. You will perhaps forgive me for mentioning the thoughts of these people who cannot attend your hearing.

We surely can and will solve the problems of preserving the beauty of the Gorge while maintaining sufficient jobs to support those already living here if we decide to work together.

It was not the intention of the legislation proposed by the Gorge Coalition to interfere with cities oversight of their lands and Urban Growth boundaries. We recognized from the beginning that there would be changes and improvements to our plan.

Thank you for listening to my point of view.

Senator EVANS. Thank you, very much, Ms. Wyers.

Next, Chuck Williams.

STATEMENT OF CHUCK WILLIAMS, COLUMBIA GORGE COALITION

Mr. WILLIAMS. My name is Chuck Williams.

The Columbia River Gorge, the grand canyon of the Columbia, is one of the crown jewels of the country and, as such, deserves to be a unit of the National Park System. There's a lot of talk here today, and always, about these rich city folks trying to take the land. But, the effort for a Columbia Gorge National Scenic Area began with our organization, whose directors live in the Columbia Gorge, as you see here today. Our proposal was that the western half be managed by the Park Service, a core area, an area that we do not think that zoning or any other type of strictly land use regulations will protect, with the eastern half protected by a commission composed of State, local, and Federal representatives.

We think that the Park Service should definitely be the agency for a number of reasons, both positive and negative. The Forest Service just does not do this type of thing. The Park Service is the agency with expertise in this.

We think it's a pipedream to think that the Columbia Gorge can ever be protected without a lead Federal agency, but we also think there needs to be a regional commission to protect local and State interests. To us the real question now should be how to balance the powers between the lead agency and the commission so that you actually protect the gorge, but protect the rights of local residents.

We're also emphatic the Columbia Gorge legislation protect the tributaries. If they're not protected at the same time, they will receive the developments that would otherwise go in the main gorge corridor. In the recent campaign one of our Skamania commissioners was going around telling people don't worry about gorge legislation, we can put all those houses in the tributary corridors if gorge legislation passes. So, this isn't idle speculation on our part.

I'd like to speak to the polls talked about here this morning. First of all, that's quite a bit of support compared to what local support there is for many other parks. But, also, right before the election Tuesday this ad came out on Cuyahoga Valley in all the newspapers, claiming that 80 percent of the residents of Cuyahoga had been forced out of their homes. In truth, not one single resident was ever forced from their home in Cuyahoga.

This is the type of thing I just don't know how we can fight. This is what's being used to stir up agitation against protection. The vast majority of people in Skamania County want to protect the gorge, but a lot of outsiders have been brought in with these wild tales to try to stir them up against Federal legislation.

All our organization wants to do is protect the delicate balance that exists now between historic towns, pastoral farmlands and natural areas. The myth being sold is that the political status quo will protect this delicate balance when, in fact, it will not. It's going to take a radical political change to keep the environment the way it is now.

You asked earlier about developments, and I could go on for hours about developments going in, but we don't have the time at this point.

A lot of people talk about how gorge residents shouldn't have to face any more regulations than anyone anyplace else. We think it's a privilege to live in the Columbia Gorge. It's one of the most beautiful places in the country. With all such blessings you have responsibilities, and ours is to pass on a Columbia Gorge that's in no worse shape than it is now. That's not going to happen unless Congress acts fast.

There are a number of other things that I would like to cover, and if we had more time would be glad to answer questions on, such as the economic benefits of the Federal designation, and moratoriums on development, and examples of other places elsewhere around the country that are very similar to the Columbia Gorge and what's happened there.

One last point. You mentioned about the impact of wilderness on this area. The wilderness did not have any impact on the timber base in this area. Mount Adams and Indian Heaven boundries were drawn to exclude all commercial timber, and Trapper Creek and the Columbia Gorge wilderness across the river were already out of the cut. So, there was no adverse impact on the timber industry from the wilderness legislation in your bill this year.

Thank you, very much, for this opportunity to testify, Senator.

[The prepared statement of Mr. Williams follows:]

TESTIMONY OF CHUCK WILLIAMS OF THE COLUMBIA GORGE COALITION AT SENATOR DAN EVANS' HEARING ON COLUMBIA GORGE PROTECTION IN STEVENSON, WASH., NOVEMBER 8, 1984.

My name is Chuck Williams, and I would like to summarize our key points.

The Columbia River Gorge, the Grand Canyon of the Columbia, is one of the "crown jewels" of the nation, and as such deserves to be a unit of the National Park System. We were the first to propose a Columbia Gorge National Scenic Area, and while the Gorge deserves stronger protection, we thought that compromise might work because of the strong support for protection that existed within the Gorge before our opponents brought in right-wing demagogues to stir up opposition and hatred with vicious lies about supposed abuses elsewhere. Then the Friends of the Gorge formed and, despite our protests, severely compromised our compromise proposal. Thus the Friends bill is not the conservationists' position and in fact is much weaker than the protection afforded similar or less-important landscapes elsewhere. This unwise "compromise" thus allowed the two governors to promote a horrible, unworkable approach as a "compromise." So we think that the process should begin anew and that our proposal should again be given serious consideration, especially since it was written by local residents who have worked years for Gorge protection.

Without a federal lead agency, the Columbia Gorge will not be protected. Period. It is a pipedream to think otherwise, and the situation is now so desperate, thanks to Congress' irresponsible stalling, that we no longer have time to fool around with "band-aid" solutions. We are emphatic that the lead agency be the National Park Service for many reasons. A regional commission is also essential to represent state and local interests, and the main issue now should be how to balance the powers between the two. Among the many reasons why a commission can't protect the Gorge is that, as evidenced by the harassment of local members of the advisory existing Gorge commissions, no commissioner in favor of any Gorge protection could continue to live in this county.

We are also emphatic that Gorge legislation include protection for the embattled tributaries. These tributary canyons will receive the adverse developments that will otherwise go into the main Gorge corridor if not protected at the same time. These tributaries are critical to the protection and restoration of anadromous fisheries. To exclude protection for the tributary canyons would, in our opinion, be like cutting the branches of a tree and then "saving" the tree.

Claims by local officials that they are protecting the Gorge are just plain ludicrous. They are not even trying, primarily because their hearts are into extensive development. Skamania officials, for example, on one hand are claiming that no threats exist and that no development is occurring, while at the same time are promoting and approving massive developments such as the 83-house Jung subdivision along the riverbank at Skamania, my ancestral home. Klickitat and Clark county officials are smart enough to publicly proclaim that they want to protect the Gorge--and then they go ahead and approve developments ever bit as destructive as those going into Skamania County. Burdoin Mountain is a good example. There are legitimate issues to discuss, such as how to best protect a tax base and when to use condemnation, but the reactionary rhetoric of so many of our officials precludes any constructive debates.

All of us are philosophically in favor of so-called "local control" whenever possible, but in the cases of defense, civil rights, and environmental concerns, for example, local officials won't and/or can't do the job. Even if they had the will, local governments just don't have the resources to protect the Columbia Gorge, as is evidenced by the almost total lack of local parks. Plus, we local residents should not have to shoulder the cost of protecting a national treasure used by people from throughout the world. Our local officials should be begging the federal government for help, as is being done elsewhere, instead of selling out future generations.

The hour is late, and Congress' inaction in not a neutral position, but rather is a victory for those that wish to despoil our spectacular and historically important home. We beg you to act fast, so that the Gorge is not forever lost and so that neighbors in the Gorge can again be friends. Legislation weaker than our proposal not only will not begin to protect the Gorge, but will also not end the bitter controversy. As has been proved at Lake Tahoe and other places where weak political "solutions" have been tried, it will take strong federal legislation to begin to put this divisive battle behind us and to treat local landowners fairly.

Our opponents see no reason why Gorge residents should face more restrictions than anyone else. Had that attitude prevailed in the past, we would not have Olympic or North Cascades national parks or any other protected special places. The Columbia Gorge Coalition thinks that it is a privilege to live in the Gorge, and that with all such blessings, there are corresponding responsibilities. Our responsibility as Gorge residents is to pass on to our children a Columbia River Gorge that is in no worse shape than it now is. We just want to preserve the present delicate balance between natural areas, pastoral farmlands, and historic towns. Even that will not happen unless you and the other members of Congress act fast to give our beautiful home the protection it so obviously deserves--and desperately needs.

Thank you for this opportunity to testify.

Senator EVANS. Thank you.

Mr. Davis, I think in your testimony you mentioned that you thought the overlay propositions in existence were threatened. Did you care to expand on that?

Mr. DAVIS. In the comprehensive plan as developed in Hood River County, the Columbia Gorge unit of the comprehensive plan, the prime usage, the timber areas in the gorge, there was an overlay, a scenic overlay, indicating that scenic protection would be of prime concern. The point is that the comprehensive plan as it states a scenic overlay as being prominent can be threatened, can be overturned. The State forestry department working through the attorney general is contesting the legality of this. It may possibly be overthrown if this is the case, and that particular spot of scenic protection no longer would be in scenic protection. This is the point.

Senator EVANS. Although they're contesting it, there's been no decision made yet by the courts? Or is it in the courts actually, or are they just saying we don't like it, or what actually is the current status?

Mr. DAVIS. I think merely we're talking about in process.

Mr. WILLIAMS. I think it's been appealed to LCDC, Senator. It's my understanding it's going to be acted on at any time now.

Senator EVANS. I suppose that's appropriate. Anybody can appeal and lots of times they do. So, you don't know yet whether the legality of that overlay will be upheld or not; is that correct?

Mr. DAVIS. That's true. There are other threats, too. Comprehensive plans in the State of Oregon have to be updated and reviewed every 5 years. The status of an area can be changed by a later review commission, a citizens advisory committee restating the comprehensive plan.

Mr. WILLIAMS. The key thing here, Senator, is that——

Senator EVANS. Five years is 1 year longer than national administrations, and they can change, too.

Mr. WILLIAMS. I think a key thing here is that Governor Atiyeh has changed his position many times, and at the moment says local zoning with a regional commission can protect this. But, at the same time one of his agencies is trying to turn over local zoning, and is, in fact, trying to force more development upon the local people than they want. So, I think that's a crucial point to be made in this situation.

Senator EVANS. Presumably more than some local citzens want.

Mr. WILLIAMS. Right. But, the planning board did that.

Senator EVANS. OK. Ms. Hall, your testimony on Burdoin Mountain is that the elements that were done up there have been done in your view illegally?

Ms. HALL. Not all, Senator. I wanted to——

Senator EVANS. Can you tell me which parts are illegal in your view and which parts are not?

Ms. HALL. The ones in yellow are in a lawsuit now and those will be decided.

Senator EVANS. So, no lawsuit has decided whether they are or are not illegal?

Ms. HALL. No, it hasn't been decided yet.

Senator EVANS. What is the claim of illegality, or why is the lawsuit being brought? On what basis?

Ms. HALL. That there is numerous short-platting in that area of 20 acres, open (11) space designation. I think you can see by the map I presented to you that——

Senator EVANS. Is the assertion that short-platting is illegal?

Mr. WILLIAMS. Our most recent newsletter, which we'll submit for the record, has a whole article on Burdoin. What they're doing is the developer up there, with the blessings of the county, is chopping property up through quit claim deeds, including to various members of his family, and then short-platting those, and in fact is ending up with big subdivisions without going through any subdivision regulations. The property's being chopped up into much smaller parcels than the minimum acreage size for the gorge overlay zone. They're also selling off these parcels before they have county approval. During the county commissioners' meeting where these were approved, the head county commissioner, another county commissioner, and the county engineer, all three, admitted in the county commissioner minutes—this isn't hearsay, this is in the minutes—that these were totally illegal, and they went ahead and approved them, anyway. There are about six points in our lawsuit where we think these were done illegally. Like I say, I'm enclosing one of our newsletters that has a lot more detail on that, and we'd be glad to provide you a copy of the suit if you'd be interested, Senator. I think our attorney is scheduled to speak later on today, so you could ask him some more details.

Senator EVANS. OK. That's helpful. Thank you, very much.

Next is the Committee to Preserve Property Rights, Mr. Fisher, Ms. Barnes, Mr. Nichols, and Carol Royce.

Friends of the Columbia Gorge should come up next, Dave Cannard, Yvonne Montchlain, Jim Cannon, Bob Straub, Bowen Blair, and Michael Frome.

Let's try to move quickly along here. First, I see four instead of five. I guess I'll find out as we go along who's missing.

Mr. FISHER. Yes, we lost one.

Senator EVANS. Could you tell us which one?

Mr. FISHER. Yes; Lorraine Maris had to leave. She lives clear up in Forks.

Senator Evans. Oh, dear. Did she have any written testimony to present?

Mr. Fisher. I forgot to get it. I'm sure she'll send it to you.

Senator Evans. All right, that's fine. I just wanted to make sure that she could get whatever material she had in to us.

All right. Mr. Fisher.

STATEMENT OF JOHN K. FISHER, CHAIRMAN, THE COMMITTEE TO PRESERVE PROPERTY RIGHTS IN THE COLUMBIA RIVER GORGE

Mr. Fisher. Senator, the Committee to Preserve Property Rights in the Columbia River Gorge believes in individual rights and local, elected government. We also believe it is our obligation to conserve for future generations not only the natural resources of our Nation, but also the freedoms of our people.

The Committee to Preserve Property Rights has representatives in 104 communities throughout Oregon and Washington whose duties include keeping local citizen groups apprised of what is happening here in the gorge.

Here with me today are representatives from—well, we don't have one from Forks any more, but Dodson, Home Valley, and The Dalles. From them you will hear a variety of arguments in opposition to Federal control.

For my part, I would like to point out that over 200 years ago we fought a war to preserve locally elected government, private property, and individual freedom.

It is a sorry state of affairs that we find ourselves here today defending ourselves from legislation that runs so contrary to the principles upon which this Nation was founded.

We find it hard to believe that Congress would even consider legislation that would establish a Federal reserve or colony carved out of part of two States, violating the constitutional, civil, and inalienable rights of the citizens living in the proposed area, making them third-class citizens. That this legislation is under serious consideration only shows how far down the road to tyranny we've already traveled.

In closing, I'd like to remind the Senator that tyranny always comes wrapped in the robes of public welfare and high-sounding slogans, and ask you to refuse to go along with the crowd.

Thank you.

Senator Evans: Thank you very much. [Applause.] Enough.

Blanche Barnes.

STATEMENT OF BLANCHE BARNES, STEVENSON, WA

Ms. Barnes. Senator Evans and committee, I am Blanche Barnes from the Home Valley community of the gorge. I am pleased to have the opportunity to speak to you today on behalf of my husband, myself and others who live in the gorge. I'm going to depart a minute from my original testimony to speak a moment on behalf of Gertrude Glutsch Jensen. You can't imagine how we appreciate seeing her up here today, speaking in favor of us and our beautiful Skamania County.

The Columbia River Gorge is the most beautiful area in the world, in my estimation, with its unique mountain formations, most not accessible by car, Senator Evans, with its beautiful waterfalls fed by mountain streams, together with possibly 75 inches of rain each year to keep them free-flowing. Is it any wonder we love the gorge? Our homes are here and our livelihood.

There's been a great deal of frustration regarding this issue for several years. My husband bought property in the gorge when he returned from military duty in 1946. There have been good times and bad times over the years. Surely the bad time is now, our retirement years, as we fight to protect our property from Federal intervention and unjustified violation of our constitutional rights.

No area is any stronger or more stable than the economy within that area. When industries are usurped, loss of employment results, schools lose enrollment, hospitals suffer, homes taken which don't please the management, each reflect on the tax base. This tends to destroy the economy of an already depressed community.

Acquisition costs cannot be measured in the taking of this 85-mile stretch of the gorge. The bills last year did not address our already huge national debt nor the possibility of a moratorium on holdings within the gorge due to a lack of Federal funding.

There is so much to be addressed here and so little time in the 3 minutes.

The criteria we have to look at is the record, the record where Federal intervention has taken place in other parts of the United States. I refer to the book "The Taking," published in 1981, the authors Guggemetti and Wheeler. It speaks of Monterey, CA, and Cannery Row, which after a 7-year effort by environmentalists to save the coast remains in rubble and deterioration. Many other instances are mentioned that have been catastrophic. Charles S. Cushman, who is executive director of the National Inholders Associations speaks of it as environmental overkill at its worst.

I'm also going to touch on Cuyahoga Valley, even though Chuck Williams says what we read now is not accurate. This is the way I read it and this is the way I saw it on TV not long ago with Jessica Savitch as moderator. It showed devastation of farmlands with the relocation of an entire population and culture.

Senator Evans, when you sit down with your colleagues to discuss the future of the gorge, I ask that all of you keep in mind that you're talking about the livelihood of 41,000 people who live and work in the gorge, have cared for it and love it.

Thank you.

[The prepared statement of Ms. Barnes follows:]

Blanche Barnes,
Rural Land Owner
50.37 L. St. Rt. 14
Stevenson, Wa. 98648

Nov. 8 1984
Rock Creek Center,
Stevenson, Wa.

TESTIMONY
before the

SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER
of the

UNITED STATES SENATE — COMMITTEE ON ENERGY AND NATURAL RESOURCES

Senator Evans and Committee : I am Blanche Barnes from the Home Valley community of the Gorge. I am pleased to have the opportunity to speak to you today in behalf of my husband and myself and others who live in the Gorge.

There has been great frustration regarding this issue for several years. My husband bought property in the Gorge when he returned from Military duty in 1946. There have been good times and bad times over the years. Surly the bad time is now, our retirement years, as we fight to protect our property from Federal intervention; an unjustified violation of our Constitutional rights.

No area is any stronger or more stable than the economy within that area. When industries are usurped, loss of employment results, schools lose enrollment, hospitals suffer, homes taken which dont please the management -each reflect on the tax base. This tends to destroy the economy of an already depressed community.

Acquisition costs cannot be measured in the taking of this 85 mile stretch of the Gorge. The bills do not address our already huge National debt, nor the possibility of a moratorium on holdings within the Gorge due to lack of Federal funding. There is so much to be addressed here and so little time.

The criteria we have to look at is the record - the record where Federal intervention has taken place in other parts of the United States.

The record stands and I cite the following from the book " The Taking", published in 1981, the authors Guggemetti and Wheeler. I quote from the final chapter "The Backlash". It speaks of Monterey, California and Cannery Row, which remains in rubble and deterioration and is a true landmark of a seven year effort of environmentalists to "save the coast". The California Coastal Commission and the Presidents Council of Environmental Quality provided valuable information to the authors, and the book cites many other instancies where environmental interference has been catastrophic. Charles S. Cushman, who is the Executive Director of the National Inholders Association describes the happenings in California as "Environmental Overkill at it's Worst"!

One might also mention Cuyahoga Valley, Ohio, the film was shown on National network T.V., with Jessica Savatch as Moderator. In 1974 people there were told that only 26 to 30 homes would be taken, and those with a promise of lifetime residency. By 1981 400 homes had been taken. The film shows devastation with the destruction of farm properties, and tells of mass relocation af an entire population and culture.

Senator Evans when you sit down with your Colleagues to discuss the future of the Gorge, I ask that all of you keep in mind that you are talking about the liveliehood of 41,000 people who live and work in the Gorge, have cared for it and love it !

Thank You

Blanche Barnes

Blanche Barnes

The Committee to Preserve Property Rights
IN THE
Columbia River Gorge

Testimony of Blanche Barnes- Rural Land-owner
Before the United States Senate
SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER

Senator Evans and Committee,

In an already depressed area such as the Columbia River Gorge, my husband and I are finding it difficult to plan for retirement since we are almost totally dependent on income from our property. The Senate bills thus far have been threatening to developement and future planning. Since Senate bill #2318 of the Columbia River Gorge Act was introduced the Gorge has suffered an economic crisis. We are property owners in Skamania County. Our income is dependent on the buying, selling and renting and improvement of lands and properties.

Section 5 of Senate bill #2318—Manage plan— stated that it would"allow all existing land use of specific tracts of land in the area as of July 1981, which are found to be consistant with the purposes of this act".

Section 6 places a moratorium on new uses in critical lands - "No new building or reconstruction or modification in any critical areas" shall be permitted.

Senate bill #627 practically duplicated #2318, and should a new bill be forthcoming, we fear there will be little change. Those who are aware of the provisions stated in the above have been and are reluctant to invest in properties in the Gorge. Large business interests such as timber operators, who employ others have been denied bank loans for operating because of the threat of Federalization of the Gorge.

Income from our property is our livelihood, and we are not alone in this crisis. A National Scenic Area in the Gorge holds very little hope for businesses as well as many individuals who live and work here.

Well documented records show what has happened in many areas throughout the United States in recent years where Federal intervention has taken place. This is the criteria we have to look at; devastation and relocation of populations and cultures. Horror stories , some call them - they are, where the lifestyle of 41,000 people is threatendd!

Senator Evans, I've been trying to portray a picture, and it's future of the Gorge as we see it now, and what it holds for most of us, and it is very depressing to say the least. Thank You for listening.

Blanche Barnes Blanche Barnes, Stevenson, Wash. 98648

WASHINGTON
ABERDEEN
Norman [illegible]
APPLETON
Mike [illegible]
AUBURN
Ray Kettman
BATTLEGROUND
Bill Zellmer
BINGEN
[illegible]
BOTHELL
Katharine [illegible]
BREMERTON
Darlene Adams
BRUSSON
Jean Philip
CAMAS
James Lyon
CARSON
[illegible]
COOK
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DES MOINES
[illegible]
ENUMCLAW
Ed Stram
EVERETT
Arnie [illegible]
FEDERAL WAY
Elizabeth [illegible]
GOLDENDALE
Oscar [illegible]
GRANDVIEW
Herman [illegible]
HOME VALLEY
Blanch Barnes
KENT
Bill Seafort
LACEY
Joe Carroll
LONGVIEW
[illegible]
MERCER ISLAND
King [illegible]
MOXEE
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NACHES
Larry Spatgor
SAPAVINE
Gene Miller
NORTH BONNEVILLE
Marcia Mansfield
OLYMPIA
Jack Bates
PORT ANGELES
George C. [illegible]
PROSSER
Don Mercer
PUYALLUP
Juanita L. Schindler
RENTON
Lela Perrins
RICHLAND
[illegible] Foster
RIDGEFIELD
Leon Prentice
SEATTLE
EAST
Gladys Edwards
SOUTH
Elizabeth Mullet
MAGNOLIA
G. G. Giffin
NORTHEAST
Dennis Falb
QUEEN ANNE
Millard Larson
SELAH
Olive Thornton
SPOKANE
Mrs F H Trantow
STEVENSON
Jack Melrose
TACOMA
Robert Wolf
TROUT LAKE
Bill Lauterbach
UNDERWOOD
James Ziegler
VANCOUVER
Dale DeTour
WALLA WALLA
Dick Farrell
WAPATO
Ed Harnden
WHITE SALMON
Roger Connelly
YAKIMA
Lorne House
ZILLAH
Harold Daybull

OREGON
ALBANY
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ALOHA
Harold Young
BAKER
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BEATTY
Robert Jones
BEAVERTON
Jean Marie Jewell
BEND
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BORING
Steve Hill
CANBY
David Fisher
CASCADE LOCKS
[illegible]
CHILOQUIN
[illegible]
CORBETT
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CORVALLIS
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CRESWELL
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DODSON
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EUGENE
Wayne D. [illegible]
GRANTS PASS
Richard [illegible]
GRESHAM
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HILLSBORO
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HOOD RIVER
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LA GRANDE
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MADRAS
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MEDFORD
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MILWAUKIE
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MOLALLA
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MYRTLE CREEK
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NEWBERG
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OAK GROVE
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OREGON CITY
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PARKDALE
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PORTLAND
NORTH
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NORTHEAST
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NORTHWEST
[illegible]
SOUTHEAST
Gary Allmaras
SOUTHWEST
Ralph Wiser
ROCKAWAY
Estella [illegible]
ROSEBURG
Robert Faas
SAINT HELENS
Maggie Jewell
SALEM
Marshall Jones
SCAPPOOSE
Penney Merrell
THE DALLES
Dorothy Bateman
TIGARD
Joe Thornton
TROUTDALE
Laura Standridge
TUALATIN
Max Clark
[illegible]
Delbert Long

Senator EVANS. Thank you, very much. [Applause.]

I'm sorry, if there is continuation of that, I'm going to either have the person who continues ejected, or we're going to supend the hearing. Do you understand?

VOICE. Yes, sir.

Senator EVANS. OK.

Next is Rodger Nichols.

STATEMENT OF RODGER NICHOLS, COMMITTEE TO PRESERVE PROPERTY RIGHTS, FRIENDS OF THE WILLAMETTE VALLEY

Mr. NICHOLS. Thank you.

Senator, I see in your short time in Washington you've already acquired that most necessary appurtenance, and that is a cast iron bladder. My congratulations, sir.

Good afternoon. Originally, I wrote "good morning." My name is Rodger Nichols. I am here not only as part of the Committee to Preserve Property Rights, but to represent the Friends of the Willamette Valley, an organization dedicated to the proposition that our neighbors in other parts of the State should be extended the same benefits they've been so eager to extend to us.

I have a minor and a major point to make today. First, I am a fourth generation gorge resident, my great-grandfather having had the good sense to settle in the Hood River Valley in 1886 during Grover Cleveland's first term of office. I and my oraganization are as deeply concerned for the welfare of the gorge as our opponents. Indeed, I suggest we are far more concerned. My own family has invested nearly a century in making the gorge a better place in which to live. Furthermore, we will continue to live in the gorge. We will be the ones facing the harsh strictures others seek to lay upon us. I submit to you that most of our opponents would not put up with them for a minute were we to impose them on their own land and homes. Today you'll hear testimony from some of our opponents who claim to be acting from only the noblest of motives. My interest in the gorge is permanent and continuing, not part of some trendy or transitory fashion. As a caring and concerned lifelong resident, I refuse to concede them the high moral ground.

Second, and my major point today, I hold in my hand a report entitled "Portland, Open Space and Urban Parks." It was prepared under the auspices of the National Park Service, the Bureau of Outdoor Recreation, the U.S. Fish and Wildlife Service, and the U.S. Department of the Interior. This report, a copy of which will be made available to the committee, Senator, prepared at taxpayers' expense, shows just the opposite of what our opponents would have you accept.

It contains no statement of need for Federal control, no statement of need for Federal land acquisition. Instead, it notes that the gorge is not accessible to the urban public by public transportation and will be unusable by the needy as a park. Instead, it concludes that the most crying need is for developed urban recreation sites, and suggests that the West Hills/Forest Park area, the other side of Portland, is of national significance. Indeed, the report concludes that more mileage can be gotten out of existing parks if fully developed.

Members of the subcommittee, there seems to be no need to reinvent the wheel here. Though we have been unable to obtain the exact figures of the cost of preparation of this report, the old standby rule of thumb of $1,000 a page would indicate that the taxpayers of this country have already spent upwards of $80,000 to find out we don't need a national park or scenic area in the Columbia River Gorge. Let's not compound the error by throwing money at a problem that simply does not exist.

In conclusion, I quote Robert Heinlein, who said:

> There is no worse tyranny than to force a man to pay for what he does not want merely because you think it would be good for him.

Thank you, sir.

Senator EVANS. Thank you.

Next, Carol Royce.

STATEMENT OF CAROL ROYCE

Ms. ROYCE. Yes, Governor Evans—I'm—oh, I'm sorry, Senator Evans—I'm so happy you're here today to listen to us. Like some of them said before, we haven't had much output from Senator Hatfield and—the other one, I can't think of his name right now. I'm nervous.

Anyway, I don't have all the fancy words behind me, and I don't have millions of people behind me, or the money. I'm just an ordinary citizen of the gorge. I came here today because I'm deeply concerned about what is happening to our Columbia Gorge.

I was born and raised and lived most of my 55 years on my father's dairy farm in Dodson, OR, 3 miles east of Multnomah Falls. I have seen many changes made, some of them good and some bad. The changes that are being made or proposed now I feel are bad. They will not benefit anyone who lives in the gorge. Yes, it will benefit the people who initiated the bill, the ones who live in town and who want to hike through our property to enjoy its beauty without working for it or paying the taxes on it.

These people are urging the State, the Government, and the county to buy up whatever land they can get. Then the buildings are torn down and the land is taken off the tax rolls. I have seen whole communities disappear from the tax rolls, all the way from Eagle Creek, Bonnevilla, Wee Cove, Bonnevilla, Motor Lodge, Burgers, half of Warrendale, and a quarter of Dodson—all gone.

The State highway ruined our farm when they cut it in half with a six-lane right-of-way, which only will accommodate four, destroyed a beautiful duck lake and some of our best hay fields to construct a huge cloverleaf interchange in the middle of our farm.

We are told that this bill would not condemn land, but this is not much consolidation or satisfaction to one who has already had 110 acres condemned by the State. By the way, I'm glad that Gertrude's not here to hear this because she was behind part of that. But, I would like to say that I'm very happy that she's come around to our side. The State condemned 110 acres of our land to build Ainsworth Park when they already had over 40 acres which originally was part of our farm that had never been utilized. About 2 acres of the 110 acres condemned has been utilized for park. Our farm has been whittled down from almost 700 acres to a little over 200, which now is listed as critical area.

I'd like to say in here we have 80 acres between Dodson and Horsetail which is considered grazing land for us. We've grazed this land since I was a little girl. But, the environmentalists tell us that this is bad for the land. Yet if the land is not grazed, the grass grows over the horses' backs.

It is because of this type of reasoning that our taxes are so high. Oregon is nearly owned by the State, county, and Government now. They don't need any more land. Our latest tax statements show the assessment of some of our land going down, but the taxes went up. Why?

We are told that the gorge is in danger. Yes, I agree, it is in danger of the very people who say they want to save it. Save it from what? Us? It is turning into a tansy strip. Tansy suddenly appeared after the highway right-of-way was sprayed with chopped hay from the valley. The scotch broom is also becoming a serious problem, which is detrimental to people with asthma and allergies. But, it is not being controlled. Neither are the Canadian thistles, lupine, or larkspur—which, by the way, is one of the endangered species—which kill animals. Countless other noxious weeds are taking over the gorge. We fight a never-ending battle against this type of thing, while the State, county, and Government let them go rampant.

We, the people who live in this beautiful gorge, work hard to keep it beautiful. But, it is something like a jungle: you control it or it will control you. Yes, the gorge needs control, but only by the people who live in it and are willing to work with their hands. How does anyone in Washington, DC, know what we need out here? And this is not a slam to you, Senator Evans. It's just that that's a long ways away. You can't clear land with your head. You can't keep the creeks clear in wintertime with your head. You can't cut thistles or poison tansy and the like with your head, or countless other jobs that can only be done with your hands and hard work—and I challenge some of these groups to come around at thistle-cutting time.

As for the building control, we don't want condominiums, either. But, it is the people who live in the gorge who help to keep it beautiful, and these people are rapidly disappearing because of high taxes and too much land control. We, the people of the gorge, live in a different world than those in the city. We are not depriving you of the privilege to live where you choose. We only ask for the same privilege.

I will end with these words: we might be a bunch of country hicks, as we have been called, but we love it or we wouldn't be here.

Senator EVANS. Thank you, very much.

I must say I'm finding out, to my pain, just how far away Washington, DC, is, having to travel back and forth as many times as I do.

Mr. Fisher, your statement, I can assure you that whatever is done or at least whatever I would have anything to do with won't violate the Constitution, at least not knowingly. That's the oath that every Member of Congress upholds when they take office, and

I don't think I know any of them who would knowingly attempt to do anything like that. Ultimately I suppose some actions taken appear to violate the Constitution, and on occacion the Supreme Court tells us that we did. But, knowingly it won't happen, anyhow.

From any or all of you, earlier today I tried to pose a couple of goals, to see where we were in general agreement and where we began to diverge. Would the essential statements that the Columbia Gorge area is a special place, unusual in its natural attributes, and that it probably has within it some criticial areas that need special protection; would there be general agreement with those two statements?

Mr. FISHER. Well, that's probably true, but a good share of the State of Washington could be put in that classification. If we're going to start taking this area just because it's pretty, I think that there's going to be an awful lot of your constituents that are going to be facing similar proposals along the way.

Senator EVANS. I'm not suggesting taking, or anything else. What I am saying, though, is the gorge as an entity, and I guess different people can put different boundaries around what constitutes the gorge, but the fact that it does represent a major river flowing through a mountain range, and seldom do you find that kind of major change in geography, major change in climate between the eastern and western side of the gorge; and then along with that, some of the areas that may well be areas deserving of protection. You can protect in a lot of ways; some would suggest you zone it, some others would suggest that you have scenic easements, others would suggest if you have scenic areas or places you want to preserve, buy them.

But, I guess I'm trying to find whether there's general feeling that the gorge is a remarkable place.

Mr. NICHOLS. I think those of us who live here couldn't agree with you more. We wouldn't be here if we didn't want to be here. It has a lot of attractions for us.

One of the points you make is that it covers a lot of ground, a lot of different environments, ecosystems, and whatnot and we agree; which is why I object personally to the inclusion of vastly different areas within its boundaries. I live in The Dalles right now. It rains 12 inches a year in The Dalles. It's the beginning of high desert country. The type of farming, the type of operations, the type of the country is totally different than what it is here in Stevenson, Cascade locks, or Hood River. It seems to me kind of silly to lump them all together and call it what we want, because we've set our borders as big as we can possibly set them and we'll accept less later if we get trimmed down.

Senator EVANS. I suppose to some degree that's part of the remarkable nature of the Gorge, that in a relatively short span it does go from a Western-type environment to an eastern, more desert-like environment. But, the questions then come how do you approach that whole thing. I'm sure that's where there's great divergence. At least I've heard a lot of divergence today.

Mr. NICHOLS. Senator, I think that Dr. Schwartz' group is one of the prime examples of that divergence, when the zirconium plant attempted to locate in The Dalles. I'm familiar with that, having been involved in that. In his watchdog zeal, he prevented it from happening. He didn't need Federal Government control. He was really good at it. We're happy to have him as part of our community. These folks appearing here on behalf of further Federal control have done a marvelous job. I don't see that they need any help from Washington.

Ms. ROYCE. Another thing I didn't get to mention, and I'd like to ask if there's something that could be done. We have about 50 acres that have disappeared into the Columbia River from the dam washing it away. We have not been able to get any help on stopping this. Can you give us some suggestions on how this could be done?

Senator EVANS. Well, it would be helpful if you could let us know more precisely where the area is and——

Ms. ROYCE. At Dodson.

Senator EVANS. Right at Dodson, OK. Well, before we leave, if you can let some of the staff know more precisely we'll sure take a look at what appears to be the problem and what can be done. Sometimes things happen that you'd like to be able to correct, and you find that nature's just bigger than we are and you can't correct them. But, we ought to take a look, and we certainly will.

Ms. ROYCE. Also, I don't know if it could be done, but I sure wish that somehow the Columbia Gorge could be cut away from Multnomah County and put into a county of its own, because we don't get any of the benefits from town at all.

Senator EVANS. I've heard that a lot of times, from counties to counties, reshuffling State borders and everything else. I think that's a fairly common complaint. I'm not sure once you did that whether people would feel any better, and might want to start recarving it again.

OK, thank you, very much, for your testimony. We'll call the next group up now, and have in the front row Columbia Gorge United, Joel Skousen, David Aldridge, Esson Smith, Gerald Vasbinder, and Joe Wrabeck.

Now, coming up to the podium, Dave Cannard, Yvonne Montchalin, Jim Canon, Bob Straub, Bowen Blair, and Michael Frome.

Dave Cannard.

STATEMENT OF DAVID L. CANNARD, COCHAIRMAN, FRIENDS OF THE COLUMBIA GORGE

Mr. CANNARD. Thank you, very much, Senator, for coming to Stevenson and asking our opinion. I'm Dave Cannard of Vancouver, WA. I've been in the insurance business there for 28 years. Additionally, I've been active in civic life in our area, for I feel it's a citizen's obligation to participate in the democratic process.

I wanted to be a part of the historic gorge protection effort. As a result of my interest, I was one of four citizen founders of Friends of the Columbia Gorge. I have served as Washington cochairman of the organization since its incorporation in February 1981. We now have 3 offices, 4 staff people and 3,500 paying members.

The board of directors that shaped the national scenic area legislation included a minimum of three participants from each gorge county. If you were to examine the board membership list, you would find that in terms of the population represented, Washington was represented to a greater proportion than Oregon. Also, 35 to 50 percent of that board was from the gorge itself. I'm dwelling on this a bit because it is absolutely not true that Friends of the Columbia Gorge represents one State or the other. Our organization represents the interests of all citizens in one geographic landscape and it always has.

It is important to recognize that the NSA legislation was not developed in a vacuum. Our group attended meeting after meeting in the gorge where we explained the outline of our proposal, and listened carefully as gorge citizens expressed themselves. We heard people say they felt comfortable with the Forest Service. That is why Friends of the Columbia Gorge legislation names the Forest Service as the administering agency. We heard people say they did not want the gorge to change and they wanted to continue to live the way they always have. NSA legislation was drafted with that in mind. Witness the provision grandfathering in lands used primarily for single family, residential purposes, farming and grazing. Provisions for strict limitations on the use of eminent domain, the broad-based scenic area commission and the use of conservation easements were also developed with the gorge citizens very much in mind. S. 627 is comprise legislation. It is the solution born of careful consideration of the needs of gorge residents. Any weakening of its protective provisions will render it impotent in terms of guiding the future welfare of the Columbia Gorge.

Gorge protection attempts have a long history, a history of half attempts and failed promises. Attached is a chronology of the protective efforts. In 1980, the Park Service published its excellent and comprehensive study. An announced subdivision in 1980 across from Multnomah Falls, in flagrant violation of county and State procedures, was the catalyst that caused the formation of Friends of the Columbia Gorge, and was graphic confirmation of all that the Park Service had predicted.

We can wait no longer for constructive action on behalf of the gorge. There has been much said and little done. February 10, 1983, I attended Senator Bob Packwood's hearing in Hood River and listened to Bill Benson, chairman of Skamania County Commission, say Skamania County in conjunction with Klickitat and Clark Counties has signed an interlocal agreement to develop a plan and guidelines for Washington's side of the gorge. What actions came from these words? Absolutely nothing. Skamania County backed out of the interlocal plan soon after the hearing.

We must come to grips with our responsibilities and move forwrd with fair-minded, workable, Federal legislation, the national scenic area legislation. Good citizens worked late hours over many months to craft the legislation. It is the best hope for the future of the gorge and I'm proud to have played a role in its development.

I have some answers to some of the questions you posed earlier, and I'd be willing to go into those if it's appropriate.

Thank you.

[The prepared statement of Mr. Cannard follows:]

To: Senator Daniel J. Evans
Senate Energy & Natural Resources Committee
Stevenson, Washington
November 8, 1984

Testimony by: David L. Cannard
Co-chairman-Friends of the Columbia Gorge
113 West First Street, Vancouver, WA 98660
(206) 695-3405

Senator Evans and Committee Members:

My name is David L. Cannard, and I am a citizen of Vancouver, Washington. I have been in the insurance business there for 28 years. Additionally, I have been active in the civic life of our area, for I feel a citizen's obligation is to participate in the democratic process.

I initially became acquainted with the Columbia Gorge issue from a newspaper article about a group that was forming to work for the Gorge. I wanted to be a part of such an historic Gorge protection effort, an effort that would bring a long lasting benefit to my southern Washington home. As a result of my interest, I became in November 1980, one of the four citizen founders of Friends of the Columbia Gorge. I have served as Washington Co-Chairman of the organization since the incorporation in February 1981. We now have 3 offices, 4 paid staff and 3,500 paid members.

I want to explain that Washington State's interest in Gorge protection has been represented in policy making since the very beginning. As a matter of fact, Washington's interest has been represented in a greater proportion than Oregon's. The Board of Directors that shaped the National Scenic Area legislation included a minimum of three representatives from each of the Gorge Counties. If you were to examine the Board membership list, you would find that in terms of the population represented, Washington was, as I said, represented in the greater proportion. Also, 35% to 40% of that board was from the Gorge itself. I am dwelling on this a bit, because it is absolutely not true that the Friends of the Columbia Gorge represents one State or another; our organization represents the interests of all citizens in one geographic landscape, and it always has.

It is important, I think for you to know how the Friends of the Columbia Gorge legislation for a National Scenic Area was developed.

In the early days, in January 1981, our two-State board had drafted a "Discussion Paper" containing the broad outline of the N.S.A. proposal. This document was widely circulated and commented on. Press clips of the time reflect that. By May 18, 1981, our group had developed a second paper, "Legislative Concepts for a National Scenic Area in the Columbia Gorge." This May 18 paper specified the National Park Service as administrator of the N.S.A. and refined many provisions that became, finally, embodied in the N.S.A. legislation of the last Congress (S627). However, the administering agency was changed to the Forest Service by the time the N.S.A. legislation was introduced into Congress in March 1982.

It is important to recognize that the N.S.A. legislation was not developed in a vacuum. Our group attended meeting after meeting in the Gorge where we explained the outline of our proposal and listened carefully as Gorge citizens expressed themselves. We heard people say they felt comfortable with the Forest Service, which was an agency they were familiar with and respected. That is why Friends of the Columbia Gorge legislation names the Forest Service as the administering agency. We heard the people say they did not want the Gorge to change, and that they wanted to continue to live in it as they always had. N.S.A. legislation was drafted with that in mind; witness the provision grandfathering in lands used primarily for single family residential purposes, farming and grazing. Provisions for strict limitations on the use of eminent domain, the broad-based Scenic Area commission, and the use of conservation easements, were also developed with the Gorge citizens very much in mind. S627 is compromise legislation; it is a solution born of careful consideration of the needs of the Gorge citizens. Any weakening of its protective provisions will render it impotent in terms of guiding the future welfare of the Columbia Gorge.

Gorge protection attempts have a long history-- a history of half-way attempts and failed promises. Attached is a chronology of protection efforts. * In 1937 an Interstate Park was recommended. In the 1950's well-intentioned but powerless Gorge Commissions were established. On July 16, 1968, The Seattle Times noted that Skamania County, "has no land-use zoning of any kind...County Engineer Jack Norelius says the county has hired a Portland consulting firm to make population and land-use studies leading a comprehensive plan, a prerequisite for any land-use zoning." There is still no zoning.* By 1970 a National Recreation Area was proposed by John Yeon and supported by Mrs. Gertrude Jensen who had promoted the Gorge Commissions.* Attachments demonstrate Mrs. Jensen's support for a strong Federal presence in the management of the Gorge until very recently. Then, in 1980, the Park Service published its excellent and comprehensive study which laid out for all to see, the disturbing future trends of the Gorge. It was an announced subdivision, in 1980, across from Multnomah Falls, in flagrant violation of County and State procedures, that was the catalyst for formation of Friends of the Columbia Gorge and was graphic confirmation of all that the Park Service predicted.

We really can wait no longer for constructive action on behalf of the Gorge; there has been much said and little done over the years. On February 10, 1983, I attended Senator Bob Packwood's hearing in Hood River and listened to Bill Benson, Chairman of the Skamania County Commission say: "Skamania County, in conjunction with Klickitat and Clark Counties, has signed an interlocal agreement to develop a plan and guidelines for the Washington side of the Gorge. We feel we can provide for tourism and other economic activities, while preserving the natural and scenic qualities of the Gorge."* What action came of these words? Absolutely nothing. Skamania County backed out of the interlocal plan soon after the hearing.

As development continues to degrade our beautiful Gorge, we must come to grips with our responsibilities and move forward with fairminded and workable federal legislation--the National Scenic Area legislation. Good citizens worked late hours over many months to craft that legislation. It is the best hope for the future of the Gorge, and I am proud to have played a role in shaping it.

* see attachments

CHRONOLOGY OF
SIGNIFICANT PRESERVATION ACTIVITIES

YEAR	ACTIVITY
1913	Construction of the Scenic Highway in Oregon begins
1915	Columbia Gorge Park Division established in Oregon National Forest (Mt. Hood) for scenic and recreational value.
1915	Land donations and purchases begin around Scenic Highway.
1935	Land Program Recreational Project Columbia Gorge, Report of Columbia Gorge Committee, Pacific Northwest Regional Planning Commission recommending an interstate park be formed with the assistance of the National Park Service.
1937	Conservation and Development of Scenic and Recreational Resources of the Columbia Gorge, Report of the Columbia Gorge Committee, Pacific Northwest Regional Planning Commission calling for a coordinated program among Oregon and Washington federal, state and local agencies to extend and consolidate public land ownership for scenic and recreational purposes.
1939	Interstate compact proposal. Supported by the Governor of Oregon, Oregon State Legislature and Washington State Planning Council.
1950	Portland Women's Forum Save the Gorge Movement. Working with the Portland Chamber, they attempted to gain support for unified management through an interstate compact with the National Parks Service, as outlined in the 1937 report. Failing that, they turned to the concept of establishing independent Gorge committees in Oregon and Washington to make overall plans for land purchases recreational development, and to recommend legislation to implement an overall plan.
1953	Columbia River Gorge Commission established in Oregon. Originally conceived to mandate a State Conservation Area, it was amended to make recommendations, not regulate.
1959	Columbia River Gorge Commission established in Washington.
1965	Columbia River Gorge Study; U.S. Department of Agriculture, Region 6; prepared in response to proposed tramway at Munra Point, Oregon. Study looked at existing recreational uses. It recommended against tramway as marring the landscape and not economically feasible.
1967	Preliminary Analysis, Columbia Gorge National Recreation Area (Potential), U.S. Department of Agriculture, Region 6. Proposed NRA consisted of 28 miles of waterfront taking in national forest and state parklands on both sides of the river. Reports at length on existing recreational uses and need to provide for anticipated needs of the growing metropolitan area. Disposition unknown.

1968	"Save the Columbia" efforts continue.
1970	National Recreation Area proposal suggested to Oregon and Washington Gorge Commissions as an alternative to a national park.
1976	Creation of the Columbia River Gorge Consortium, a 23-member bi-state committee made of local, state, federal and private interests to pr[illegible]e coordination of actions relating to the management of the Gorge in e[illegible]t to unify both sides of the river. They have ceased meeting.
1976	A Resource Management Program for the Columbia River Gorge for the Oregon and Washington Columbia Gorge Commissions. Established guidelines for economic utilization and environmental protection for implementation by local governments.
1976	Portland Open Space and Urban Parks Study, Northwest Regional Office, Bureau of Outdoor Recreation, U.S. Department of Interior. Study identifies Gorge as a potential federal urban park.
1979	"Columbia Gorge Coalition" is formed. The citizens organization is dedicated to preserving the heritage, scenery, recreational values and agricultural lands of the Gorge. Coalition proposes creation of a Gorge National Scenic Area. The area would consist of a western core managed by the National Park Service, with the remainder managed by a local/state/federal commission.
1980	In a letter to Cecil Andrus, Secretary of Interior, Washington Governor Ray and Oregon Governor Atiyeh state that although closer attention should be paid to Gorge protection, such protection should be a function of state and local governments rather than the federal government.
1980	Columbia River Gorge Study of Alternatives, U.S. Department of the Interior, National Parks Service. Comprehensive study of the resource. Suggest 5 management alternatives; a combination of the two alternatives becomes the national scenic area proposal. The study concludes that the scenic, natural and cultural values of the Gorge make it "a nationally significant landscape that warrants protection".
1980	Friends of the Columbia Gorge forms seeking a National Scenic Area designation for the Gorge.
1980	Governor Victor Atiyeh urges a bi-state compact to enhance the Gorge Commissions' abilities to protect Gorge scenic and natural values.
1981	Washington State bi-state proposal fails (4/81) and is amended to create the Washington Governor's Select Committee which studies management alternatives. Columbia River Gorge Study for the Washington Columbia River Gorge Commission and Washington Governor's Select Committee on the Columbia Gorge. Using a case study approach, it identifies sensitive lands on the Washington side and suggests mitigation possibilities.
1981	"Gorge Protection Council" and committee of elected officials from Gorge jurisdictions is formed. Its aim is to oppose federal legislation and protect local governmenal control. It seeks gubenatorial executive orders naming the council as the official Gorge management agency. No such executive orders are given. The organization is currently inactive.

Feb. 20, 1981	In a letter to the Oregon Gorge Commission, Gov. Atiyeh notes that while he supports a bi-state compact, he will pursue other avenues to ensure Gorge protection, including federal legislation, if necessary.
April 2, 1981	Washington State Senate passes bi-state commission legislation (S.S.B. 3945) 39 to 10 votes. The bill proposes a 13-member management commission consisting of representatives from Oregon and Washington and ex-officio members from the U.S. Forest Service, Corps of Engineers and Bonneville Power Administration. The bill is later amended to create a temporary Governor's Select Committee to study the Gorge and make recommendations to the governor and legislature. No similar legislation is considered by the Oregon legislature.
1981	Greenline Parks: Potential New Area, Study prepared by National Parks and Conservation Association for the Council on Environmental Quality. Choses the Columbia Gorge as a potential national scenic area out of 150 other areas around the country.
April 26, 1981	Washington legislature creates the Governor's Select Committee to examine the need to preserve and protect the scenic, natural and historic features of the Gorge, and to recommend how such preservation could be accomplished. The committee consists of local county commissioners, state legislators from the Gorge, members of the Gorge Commission and citizens at large.
May 22, 1981	In opposition to federal legislation, "Gorge Defense League" is chartered in Stevenson, Wash. to promote local governmental control of the Gorge and preservation of private property rights.
May 28, 1981	Gov. Atiyeh, in a letter to the Oregon congressional delegation, says that federal legislation, rather than a bi-state compact, may be the best mechanism to achieve protection of the Gorge. The Governor remains steadfast on the need to form an effective partnership of local, state and federal governments.
December, 1981	The Washington Governor's Select Committee submits its report on the Gorge. The report recommends that the state create a review commission to oversee and direct land use and resource management in the Washington portion of the Gorge. It also suggests that Oregon be encouraged to adopt similar legislation and that Congress be petitioned to pass laws to ensure that federal actions are consistent with state Gorge plans.
Feb. 2, 1982	Washington State Sen. Hal Zimmerman introduces legislation based on the recommendations of the Governor's Select Committee. The bill dies in committee.
March 31, 1982	Two bills pertaining to protection of the Gorge are introduced in the U.S. Congress. One, introduced by Oregon Sen. Bob Packwood and based on a legislative concept developed by Friends of the Gorge, proposes placing the Gorge under management of the U.S. Forest Service. The federal agency would have authority over land use and resource management and would be authorized to acquire land. An advisory commission would be appointed to assist the Forest Service in developing a management plan. The second bill, introduced by Oregon Rep. Ron Wyden, is similar, except that the regional commission would be given greater authority in planning and management of the area.

1982	Updated Gorge Commission Guidelines are issued. (8/82). New guidelines, updating the 1976 Resource Management Program, stress the need to preserve the scenic and historic value of the Gorge.
October 1982	Citing the need for environmental protection and economic development, "Protect the Gorge Committee" is formed to promote retention of local and regional authority in Gorge land use planning and resource management. It opposes pending federal legislation.
November 1982	"Columbia Gorge United" is formed for the purpose of opposing federal management of the Gorge. The group cites the need "to reach outside the Gorge to educate and mobilize the population on a wide scale in opposition to Federal Control." Of primary concern to the organization is the need to protect private property rights and representative government.
Feb. 1983	Clark, Skamania and Klickitat counties adopt an interlocal agreement to set a schedule and process for protecting environmentally and visually sensitive Gorge lands. The agreement was drafted by Protect the Gorge Committee. A month later, Skamania County fails to give the agreement final ratification.
Feb. 10, 1983	Oregon Sen. Bob Packwood conducts a formal Senate hearing on Gorge legisalation in Hood River, Oregon.
Feb. 16, 1983	Washington legislature passes a memorial requesting Congress to "refrain from considering legislation imposing further federal control over nonfederal land in the Columbia River Gorge." No similar action is taken by the Oregon legislature.
March 1, 1983	Oregon Sen. Bob Packwood reintroduces legislation based on the legislative proposal of the Friends of the Columbia Gorge. The legislation proposes placing the Gorge under management of the U.S. Forest Service. USFS would be assisted by an advisory commission of local, state and national representatives.
March 15, 1983	Governors Atiyeh and Spellman issue 22 principles for Gorge management and initiate work to draft legislation. Principles call for singular Gorge management and for a "real partnership between the interests of federal, state and local governments."
March 25, 1983	Oregon Sen. Mark Hatfield conducts formal Senate hearings on Gorge legislation in Portland, Oregon.
March 29, 1983	Washington Senator Slade Gorton conducts a town hall meeting on Gorge legislation in Vancouver.
May 1983	Governors Atiyeh and Spellman release draft Gorge legislation. Their proposal calls for creation of a 23-member regional management commission to oversee and direct land and resource uses. The commission would be directed to prepare a management plan and authorized to acquire land.
July 22, 1983	Governors submit Gorge legislation proposal to Northwest congressional delegation. The size of the proposed regional management commission is trimmed from 23 to 14.
August 4, 1983	Gorge legislation proposed by Governors Atiyeh and Spellman is introduced by members of the Oregon and Washington congressional delegations.
May 1984	Oregon Rep. Ron Wyden proposes an amendment to the Governors' legislation to allow the Secretary of Agriculture to review and propose changes to the management plan prepared by the regional commission.

1968

Seattle times, July 16, 1968

Walt Woodward

2 Men and a County Work to Save a Beauty

Discovered: Another small county struggling with the preservation hopes and fears of an entire state.

It is Skamania County, whose entire southern border is formed by the Columbia River Gorge, one of this state's great natural beauty spots.

EXISTING state law gives exclusive control to Skamania County (population 6,000) of land uses for 40 miles as the greatest river pouring into the Pacific Ocean from either North or South America sweeps through lofty escarpments.

In this, then, Skamania equates with small San Juan County (population 3,000), to which state law likewise entrusts exclusive jurisdiction over land uses of 172 charming rock-bound and tree-covered islands.

In Seattle a couple of years ago, a "Save the San Juans Committee" was formed. Its members included concerned citizens who feared industrial or honky-tonk growth in the San Juan Islands.

But investigation showed that the islands' residents, equipped with their own county government and its power of land-use control, were insisting on doing their own saving, thank you. So the 1967 Legislature spurned several suggestions to impose either regional or state regulations on the islands. Those 3,000 residents still retain control of a natural beauty resource of statewide, if not also national, importance.

Whether this also will be the case in the Columbia River Gorge is a question posed by two men working independently of each other.

One is John Yeon, scion of a Portland lumber family, an award-winning architect and a leader in preservation efforts in Washington and Oregon.

A few months ago, Yeon called on Governors McCall of Oregon and Evans of Washington to work "on behalf of the preservation of perhaps the most threatened and unprotected of the great landscapes of America, its most majestic river gorge."

Pointing to only one Washington State park on the northern side of the state dividing gorge, Yeon wrote that "compared to Oregon, Washington's neglect of the gorge has been extreme."

Of Skamania County, he wrote that "since the problem of preserving the gorge is interstate and regional in scope, it is unfair to expect a rustic county to take much action on a scale beyond its need or comprehension."

THE OTHER man, Marvin Durning, Seattle attorney who was the 1966 national conservationist of the year, recently called for a sweeping new plan for the "unified, systematic development of the historic, natural, beauty, educational, recreational and cultural resources" of the Columbia River.

Durning, warning of industrialization and honky-tonk developments along the river banks, said Oregon and Washington should join in forming a Columbia River conservation area with legislation "permitting, but regulating, land uses in that area to conserve quality and natural beauty."

"Save the Columbia," if you please.

But a check in Stevenson (population 937), county seat of Skamania County, shows that county also is well aware of that state law giving it exclusive control over land uses.

At the moment, Skamania has no land-use zoning of any kind.

It does have, however, a county planning commission.

County Engineer Jack Norelius says the county has hired a Portland consulting firm to make population and land-use studies leading to a comprehensive plan. Next year is the target date for adoption of the plan, a prerequisite to any land-use zoning.

Meanwhile, the feeling runs strong in Skamania County for a plan which will include nonpolluting industries to bolster the county's economy.

So in Skamania, as in San Juan County, there is a relatively small number of citizens struggling with a problem involving the preservation hopes and fears of at least one state, if not two.

Will they succeed? That, indeed, is the question.

FACT SHEET

Positions Regarding Columbia River Gorge Preservation

Mrs. Gertrude Glutsch Jensen

1952 - 1983

In 1952 Mrs. Gerturde Glutsch Jensen headed a "Save the Gorge Committee" of the Portland Women's Forum which was instrumental in gaining public support for and arranging land trades to save areas in the western Columbia River Gorge from logging damage. Also, Multnomah County, Oregon, was pressured into turning over tax delinquent land, which was being sold for $4 to $5 an acre, to the U.S. Forest Service for protective custody.

In an Oregon Journal editorial of 1953, Mrs. Jensen states: "Why did the federal government come in as a last resort to save this part of Oregon for which we have such deep affection and rightful pride? Why? The answer is that our state and county officials have been remiss in their sacred trust to preserve and restore this area for our generation and future generations to enjoy. The federal government is protecting the watersheds in its efforts to bring about these trades, acre for acre and board feet for board feet of timber."

See Attachment #1.

Mrs. Jensen and her Columbia River Gorge Committee were also involved in drafting legislation for creation of the Columbia Gorge Commission in Oregon. A resolution was passed April 21, 1952, a portion of which is quoted here:

> WHEREAS, however great and appealing are man-made structures in the Gorge, the endowment of Nature is many times as great;
>
> NOW THEREFORE BE IT RESOLVED that it is the declaration of those present that:
>
> 1. The protection of the Gorge of the Columbia is a public responsibility;
> 2. The responsibility should be accepted and acted upon by the public officials concerned at federal, state, and local levels;
> 3. These officials should name a representative group of interagency and interstate character and provide for the group competent executive service, and this group should
>   a. Seek to consolidate and expand public ownership of recreational and scenic quality in the Gorge;
>   b. Consider zoning and other effective means to save the public values in the Gorge; and
>   c. Submit and support any necessary legislative proposals to the Congress and to the state legislatures of Oregon and Washington.

See Attachment #2.

Page Two, Fact Sheet, Positions of Mrs. Jensen.

The legislation referred to in the resolution ("Submit and support any necessary legislative proposals...") was introduced by the Multnomah County delegation on February 24, 1953. This bill, Senate Bill No. 357, created the Gorge Commission. Section Three mandated a comprehensive plan for protection and administration of the Gorge. Section Four gave the Commission the following power:

(1) To acquire land in the name of the state by purchase, condemnation, exchange, transfer, gift or devise, and lease such land or interests in land as may be required for the purposes of this act.

A copy of the legislation proposed by Mrs. Jensen is attached. Her legislative proposal with some "teeth" in it did not emerge as law; a modified version did. See Attachment #3.

In 1970, John Yeon, having witnessed the impotence of the Gorge Commissions, proposed in October at a joint meeting of the Oregon and Washington Gorge Commissions a Columbia Gorge National Recreation Area. Soon after, Mrs. Jensen commented on that proposal in the Oregon Journal.

> To The Editor:...The Great Gorge does not meet the criteria for a national park because of the railroads, the dams and the commercial arteries of travel.
>
> Marshall Dana was hopeful that some day it would be a national monument as it is not only a state treasure but it is a national treasure as well. Toward that end we have worked together since 1951.
>
> Now, it meets the seven requirements in the criteria for a Columbia River Gorge National Recreation Area, and the old Columbia River Highway and the Lewis and Clark Highway in Washington could be a national parkway.
>
> Perhaps some day they will be both -- a national recreation area and two national parkways. It is not too much to hope for.
>
> I hope it will be so designated by the federal government during our lifetime.
>
> Gertrude Glutsch Jensen

At 1:30 p.m. on June 1, 1981, Mrs. Jensen convened a meeting at her apartment in Portland. Tom Imeson and Lon Fendall of Senator Hatfield's staff, Dan Burroughs, National Park Service, ret., Jim Thompson, Superintendent, Fort Vancouver National Historic Site, John Yeon, Nancy Russell, and representatives of the Portland Women's Forum were present. At this time Mrs. Jensen expressed her continuing commitment to preservation of the Gorge and advocated the immediate declaration of the Gorge as a National Monument by President Reagan. Attached is a copy of her remarks on that day. See Attachment #5.

Page Three, Fact Sheet, Positions of Mrs. Jensen

On January 18, 1982 Mrs. Jensen appeared at a joint meeting of the Portland Chamber of Commerce and the Portland Women's Forum and made the following remarks regarding Gorge protection:

> A National Scenic Area must be done and it must be done now. The bridge to Camas will be done next year. Then will come the big speculators, the great investors and the big industries.

Mrs. Jensen called for the U.S. Forest Service to oversee the Scenic Area. According to the article in the Gresham Outlook, she received a standing ovation.

See Attachment # 6

In a December 10, 1982 article by Roy Craft, Editor Emeritus, in the Skamania County Pioneer, Mrs. Jensen is hailed as, "a powerful ally...in our fight to save the Columbia River Gorge from a federal takeover." The writer mentions that, "Mrs. Jensen suffers from a malignancy for which she receives regular treatment, and underwent major surgery early this year, but despite her ill-health, she made a trip to The Dalles two weeks ago, riding up on the Oregon side and returning on the Washington side of the river."

Mr. Craft's articles continues:

> Mrs. Jensen pointed out that the "Friends" had distributed a purported summary of the bill's provisions which carefully omitted any reference to condemnation. This is "misrepresentation by ommission", Mrs. Jensen noted, since the false summary made the legislation appear innocuous.
>
> She had originally trusted the summary but took the trouble to read the fine print in the legislative draft and discovered that property owners would be completely at the mercy of a new federal bureau and that the condemnation threat would hang over the heads of every home and property owner living outside incorporated areas in the five counties.
>
> "Why shouldn't there be homes and even condominiums, if tastefully planned and properly lanscaped, in the Gorge?" Mrs. Jensen asks rhetorically.

See Attachment #7B, Friends of the Columbia Gorge Legislative Summary.
See Attachment #7, Article by Roy Craft

The Portland Oregonian and the Skamania County Pioneer carried an article written by Mrs. Jensen on December 14, 1983, in which these views were presented:

> I was further distressed when I observed the treatment accorded Colonel George Rizor when he proposed to develop a number of beautiful homes on the Washington side of the river on property he had owned for more than 20 years.
>
> He was assaulted in the Portland media as an unscrupulous developer who would ravish the beauty of the Gorge. It is true the property is across from Multnomah Falls but it is also true that a wooded island lies between the Falls and the Washington shore.

Page Four, Fact Sheet, Positions of Mrs. Jensen

Newspaper article written by Mrs. Jenson, December 10, 1982, continued:

> I am told a development of several nice homes is being planned near Skamania and that Oregonians are gearing up for legal action to oppose it, even though it may meet all federal, state and local criteria. People were living there when Lewis and Clark visited in 1805-06 and the Indian villages were followed by mill towns as well as estates with formal gardens. Why would new homes defile the landscape?
>
> Backers of the proposed Federal takeover have spent hundreds of thousands of dollars, mostly from public donations, to mount a well-orchestrated campaign of hysteria. In this they have been supported by the Portland media and free TV time has been made available to raise funds for such projects as the legal harrassment of George Rizor and anyone else who proposes to build a home viewable from the Oregon shore.
>
> The original concept of the Columbia Gorge Commission was an advisory body, formed to alert the public of any threat to the environment and with the confidence that the people would take proper steps.
>
> Instead, it appears to be developing into a supra-legal body, with a paid staff, attempting to usurp the authority of elected officials and even participating in legal actions against those who would build homes in the Gorge.
>
> I suggest that neither the Packwood Bill nor the complicated two-state legislation proposed under pressure by Oregon and Washington Governors, is necessary or desirable.

See Enclosed Attachment #8, Pioneer Article.
See Enclosed Attachment #9, Jung Subdivision (Hidden Harbor) press release
and Jung Subdivision plat map.

On April 27, 1984, Skamania County Pioneer Editor Emeritus, Roy Craft, admitted writing Mrs. Jensen's articles for the Portland Oregonian and Skamania County Pioneer, although "eventually she had the article the way she wanted it."

See Enclosed Attachment #10, Pioneer Article.

Prepared by Friends of the Columbia Gorge, November 7, 1984

Oregon Journal
Editorial

1953
Attachment
#1

EDITORIAL

Tragedy in Gorge

By GERTRUDE G. JENSEN

Chairman of Columbia Gorge Commission

This is the second of two installments.

The state of Oregon and Multnomah county have placed the blame on the state highway commission for not protecting the areas along the Columbia River highway through purchase. The county has had hundreds of acres of land along the highway and in the watersheds available to the state from the county land office.

These lands were acquired through tax foreclosure, and an investigation and hearing last year through the Portland Women's Forum "Save the Columbia Gorge" committee, now in its third year, brought out the fact that the right-of-way department of the state highway commission consistently turned down these lands and was not interested.

The timbered lands below Mist falls, which is over 1000 feet high and which borders the highway, were sold for $7 and $8 an acre—and logged. Seven hundred and sixty acres on the top of Multnomah falls, much of it timbered area, was sold to a private buyer of timber in 1948-1950 by the county for $4 and $5 an acre. The deal from the land office was sanctioned and OKd by the county commissioners, which is the county court of Multnomah county.

The land was never offered to the Mount Hood national forest to add to its beautiful Columbia Gorge park. The excuse for selling: The state did not want it and the commissioners felt it should be put back on the tax rolls. With only a tax of 5 cents an acre when the timber is cut, as it is classified as reforestation land, it is very evident that the scenic value of those beautiful blue-green fir trees and the hardwoods has been given no consideration by the county, and neither have the watersheds been given any consideration.

Oregon does not want a fern and brush-covered Columbia river gorge. We wish to preserve the beautiful forest which is the setting for a full dozen or more waterfalls along this beautiful parkway.

And what does the right-of-way department have to say about the acquisition of state park property? The answer is below and from a letter received last year from the beloved father of the state parks system of Oregon, Sam H. Boardman, whose death a few months ago has been a very great loss. In this letter Mr. Boardman wrote me:

Beautiful Timber Cut

". . . I am inclosing a notation written in 1944 concerning Talbot park (Talbot park is on the west side of Latourell falls and bridge and was a gift to Oregon by Guy W. Talbot). I am writing about the 30 acres adjoining the park which begins at the east end of Latourell bridge and is owned by Mr. and Mrs. B. B. Bennett. This letter is not sent to show the part I played, but to bring out the method employed by the state in acquiring park sites: There are many predominating factors concerning the purchasing of a park over the purchasing of right-of-way to build a highway. For a number of years I did my own buying and had no trouble. Then the right-of-way department took over the buying, and I had nothing but trouble. It makes me sick to think of the Bennett timber being cut (the timber alongside the falls was cut last year but not the beautiful corridor of a quarter of a mile just beyond the bridge which is intercepted by the highway). . . . How we indirectly pay for the hurts of life. . . ."

Mr. Boardman's minutes are dated October 23, 1944, and may I add, the area at Latourell falls still has not been acquired by the state parks department, which must have the OK of the highway commission and this OK has not been forthcoming.

After discussing this property, its scenic value and the necessity for acquiring it, Mr. Boardman concluded:

"There is a distinction in the acquisition of property for the construction of highways and that of parks and roadsides. These recreational values should be understood and considered by the negotiator in his findings in the placing of his price on any recreational acquisition."

Mr. Boardman has gone and his predictions have partly come true. It is not too late to acquire, to preserve and to restore but there must be a co-operative effort o the part of everyone concerned.

Why did the federal government come in as a last resort to save this part of Oregon for which we have such deep affection and rightful pride?

Why?

The answer is that our state and county officials have been remiss in their sacred trust to preserve and restore this area for our generation and future generations to enjoy.

The federal government is protecting the watersheds in its efforts to bring about these trades, acre for acre and board feet for board feet of timber.

At a general meeting held at the call of the Portland Women's Forum on April 21, 1952, at 1:45 P.M. in the Board of Directors' Room of the United States National Bank, the following resolution was adopted:

WHEREAS, the Portland Women's Forum has renewed the campaign to save the Gorge of the Columbia from defacement of its internationally famous scenic grandeur; and

WHEREAS, several hundred million dollars have been invested in power, transportation facilities, and other structures in the Gorge and this is an investment which should be fully protected both against defacement and against improper land use; and

WHEREAS, however great and appealing are man-made structures in the Gorge. the endowment of Nature is many times as great;

NOW THEREFORE BE IT RESOLVED that it is the declaration of those here present that:

1. The protection of the Gorge of the Columbia is a public responsibility;

2. The responsibility should be accepted and acted upon by the public officials concerned at federal, state, and local levels;

3. These officials should name a representative group of interagency and interstate character and provide for the group competent executive service, and this group should

    a. Seek to consolidate and expand public ownership of recreational and scenic quality in the Gorge;

    b. Consider zoning and other effective means to save the public values in the Gorge; and

    c. Submit and support any necessary legislative proposals to the Congress and to the state legislatures of Oregon and Washington.

BE IT FURTHER RESOLVED that the Portland Women's Forum be commended for its activity in behalf of the Gorge of the Columbia, and that it be encouraged to carry on as a voice and agency of public opinion until the job is done.

NOTE: this version with "teeth" not passed. nnR

Attachment # 3

1953

Forty-seventh Legislative Assembly - Regular Session

SENATE BILL NO. 357

Introduced by Multnomah County Delegation and read first time
February 24, 1953

A BILL

For an Act relating to the establishment of the Columbia River Gorge Commission; providing penalties; and appropriating money.

Be it enacted by the People of the State of Oregon:

Section 1. As used in this Act, unless the context requires otherwise, "commission" means the Columbia River Gorge Commission.

Section 2. (1) For the purpose of preserving, developing and protecting the recreation, scenic and historic areas of the Columbia River Gorge, there hereby is created the Columbia River Gorge Commission. The commission shall consist of three members who are residents of this state and shall be appointed by the Governor on a nonpartisan basis. Except for the members first appointed, each member of the commission shall hold office for a term of four years commencing on April 1 of the year in which he is appointed. Vacancies shall be filled for the unexpired term in the same manner as other appointments are made. Each member of the commission shall receive $25 for each day spent in the performance of his duties and shall be reimbursed for all actual and necessary traveling expenses incurred in connection with his duties subject to the limitations otherwise imposed by law.

(2) The first members of the commission shall be appointed for the following terms:

(a) One member for two years.
(b) One member for three years.
(c) One member for four years.

Section 3. The commission shall prepare, for the consideration and approval of the Governor, a comprehensive plan for the protection and administration of the Columbia River Gorge. This plan shall include boundaries for the proposed conservation area, proposed acquisition and administration of land, proposed zoning regulations and such other features as are necessary to accomplish the transition of the Columbia River Gorge to a state conservation area.

Section 4. The commission has the following duties and powers:

(1) To acquire land in the name of the state by purchase, condemnation, exchange, transfer, gift or devise, and lease such land or interests in land as may be required for the purposes of this Act.

(2) To make expenditures, from available funds, for the development, protection, maintenance and operation of land and property under the control of the commission.

(3) To construct, maintain and operate necessary facilities for the protection and administration of the Columbia River Gorge and the public.

(4) To conduct suitable public services and programs on any land under the control of the commission and charge reasonable fees to the public for admission.

C 1953

(5) To enter into such contracts as are necessary to carry out the provisions of this Act.

(6) To cooperate with other agencies and political subdivisions of the state, the State of Washington, the Federal Government, private organizations and individuals to the extent necessary to carry out the provisions of this Act.

(7) To establish and enforce reasonable rules and regulations necessary to carry out the provisions of this Act.

(8) To receive any gifts, either intervivos or testamentary in character.

(9) To confer upon designated employes, with the approval of the Attorney General, the general authority of police officers, which authority may only be exercised in the enforcement of the law and regulations promulgated under this Act upon land under the control of the commission.

Section 5. Subject to the approval of the Governor, the commission shall appoint a full-time executive secretary who shall exercise and perform such functions, powers and duties as the commission may assign. The executive secretary's salary shall be fixed by the commission. Subject to the approval of the commission, the executive secretary shall establish an office and employ such technical and clerical assistance as may be necessary to carry out the provisions of this Act.

Section 6. All moneys from whatever source received by the commission, including moneys received by gift, bequest or contribution, shall be paid into the Columbia River Gorge Fund which fund hereby is created. Notwithstanding the provisions of sections 23 and 28, Chapter 439, Oregon Laws 1951, the moneys placed in this fund are appropriated continuously for the purposes set forth in this Act. The expenditures of the commission shall be made from this fund upon vouchers approved by the commission. Moneys received from gifts may be expended in accordance with the terms thereof.

Section 7. Violation of any of the rules or regulations promulgated by the commission under this Act is punishable, upon conviction, by a fine not to exceed $100 or by imprisonment in the county jail for not more than 30 days, or both. Upon conviction, the payment of the costs of all proceedings under this section shall be paid by the accused.

Section 8. There hereby is appropriated to the Columbia River Gorge Commission, out of the General Fund in the State Treasury, the sum of $5,000 for the purpose of carrying out the provisions of this Act. This amount shall be placed in the Columbia River Gorge Fund and expended in the same manner as other funds are expended by the commission.

Attachment
#4

1970

Gorge Meets Criteria For Recreation Area

To The Editor: In the preparation of my 20 years of files on the conservation of the Great Gorge of the Columbia River for the University of Oregon, I have come across two sentiments which I would like to share with the readers of the Oregon Journal. These sentiments were the thoughts of great men, long gone, who had the vision of the future.

Samuel Christopher Lancaster, the locating engineer in charge of building the Columbia River Highway, completed in 1915 and begun in 1913 by Multnomah County and later given to the State of Oregon, wrote:

"The Great Architect and Master Builder put more beauty into the Gorge of the Columbia than He did elsewhere in a like distance.

"Let us hope that with the coming of the great dam and powerhouse at Bonneville together with the navigation locks for deep sea vessels and all that will follow in its wake, human folly will not spoil the marvelous beauty of this region — for 'the beautiful is as useful as the useful' — and sometimes more so."

This was the autograph in one of his books "The Columbia — America's Great Highway from the Mountains to the Sea." And, incidentally, Mr. Lancaster never owned or drove an automobile.

Marshall Dana, the great editor of the Oregon Journal, wrote in 1967:

"The river spent a long million years making this picture among the mountains. It had an obstruction but it won."

The Great Gorge does not meet the criteria for a national park because of the railroads, the dams and the commercial arteries of travel.

Marshall Dana was hopeful that some day it would be a national monument as it is not only a state treasure but it is a national treasure as well. Toward that end we have worked together since 1951.

Now, it meets the seven requirements in the criteria for a Columbia River Gorge National Recreation Area, and the old Columbia River Highway and the Lewis and Clark Highway in Washington could be a national parkway.

Perhaps some day they will be both — a national recreation area and two national parkways. It is not too much to hope for.

I hope it will be so designated by the federal government during our lifetime.

Gertrude Glutsch Jensen,
30 SE 39th Ave.

Attachment 96

THIS IS "NO TEAPARTY" ...
... setting the scene with hostess Gertrude Jensen, June 1, 1981

This is intended to summarize developments, appropriate and transmit a broad time range of thoughts and observations from many sources, and provide a base of common understanding for our guests, and multiple interests represented.

Hostess Jensen declares it a "Business Session," and so be it. The common objective is the conservation and preservation of the Columbia River Gorge.

We are to provide factual data, resource materials, and observations which will assist President Reagan, through Senator Hatfield, and the processes for which there are precedent, in declaring special national status and protective custody for the Oregon and Washington regions of the Columbia River Gorge.

This is to assist in catalyzing and inciting a form of protective action long overdue. We are in the fifth generation of a dedicated endeavor by regional leadership to conserve, sustain, and enjoy the natural charm and convenience provided by the Gorge.

Convenience? Yes. Thousands of generations enjoyed the beauty and sea-level passage of the Gorge without marring or endangering its beauty. "... But never to be subjected to the commercialism and the callousness that have caused or permitted the destruction of its unparalleled scenic values."

Symbolic of the beauty and impressive usefulness of the Gorge is the Columbia River Highway. It was the first scientifically-engineered automobile highway. Yet it was constructed with such natural beauty that it ran the length of the Gorge, ... "disturbing it no more than a stream running its course in pristine splendor."

Today is a benchmark for the Gorge and its preservation, because the Columbia River Highway Survey Project is formally in action. This advances the cause for preservation and utilization of the majesty of the Columbia River's great cut visualized by the "three Sams" in 1910, 71 years ago next month. It was regional leadership and citizen effort that "gave the length and breadth of the Columbia River Gorge and its beauty to the people." The scenic highway was a world attraction and recreational resource to the nation.

Sam Jackson, publisher of the *Oregon Journal*, had pioneered journalism in Pendleton, and thereby advocated an all-weather road system and "getting Oregon out of the mud." There were fifty-two men and women who represented every sector of the business and professional community of the Columbia, and were dedicated to the proposition that a beautiful highway could be constructed that would protect, conserve, and make useable the grandeur of the Gorge.

Through exposure, appreciation for the Gorge grew. So, also, appeared the encroachments to the natural charm and beauty of the region through commercialism.

In 1952, Oregon's Governor McKay created the Gorge Commission, with Gertrude Jensen as its chairman. Having been active long in the protection and preservation of the Gorge the Portland Women's Forum pronounced the positive move as, "One of the most important achievements up to this time." The pursuit of all phases of the Columbia's protection and preservation was and forever will be a continuing effort by this representation of 96 womens' organizations.

Again, the Columbia River Highway, in its regional significance, the successful effort on the part of the private sector and citizen leadership, is symbolic of the beauty and usefulness of the Gorge. By the same measure it has been neglected and mis-used, its welfare has been lost to multi-layered jurisdictions and identities. The Survey Project that begins today is revitalization of the public concern and interest, benefitting the total Gorge.

The funding for the Survey Project is well in hand. The private and corporate contributions now total $, and in addition to the approximate $20,000.00 in funding from local, state and federal government, the goal of $50,000.00 is well within reach, and may be oversubscribed providing additional benefits to the study. The contributions to the Historic Preservation League of Oregon are tax deductible, and an institutional repository is to be announced.

This pronouncement with its broad support is a vital clue to the much greater, more encompassing designation that must be made at once, in Washington, by the President, to the benefit of the Columbia River Gorge, and thereby the great natural treasures of the Nation.

There are well-established precedents for the recommendations made today. There is a course of action available to the President that has been delivered with precision and great dignity. Details were presented by Mrs. Jensen in a challenge to the Portland Women's Forum at the Western Forestry Center "Columbia Gorge" meeting, May 5, 1981. A tape is available on which a summary of these recommendations and additional information has been recorded.

Specifically, she cites how President Theodore Roosevelt, through the Lacey Bill, set aside as national monuments, and protected areas, (including some in Oregon) sections of national land monuments simply through his signature. Her additional recommendations explore this approach in protecting the Gorge, and related considerations.

Documentation abounds in what has happened in advance of this day. Yesterday's Oregonian, a media relative of Sam Jackson's Oregon Journal, states the case for positive action with these editorial views; (the following are excerpts) ...

> THE COLUMBIA RIVER GORGE DOES NOT HAVE TO BE TURNED INTO A PRISTINE NATIONAL PARK, OR A LOCAL CONDOMINIUM. IT ONLY HAS TO BE PRESERVED AS ONE OF THE NATION'S MOST SPECTACULAR VISTAS.

The editorial then moves to the critical elements of the delays and hasselling that have fragmentized effort and blocked progress and protection for decades.

> AGREEMENTS BETWEEN STATES, OR AMONG COUNTIES, ARE NOTORIOUSLY IMPERMANENT. THEY ARE SUBJECT TO LOCAL PRESSURES TO CUT UP AND SELL, TO TURN A QUICK DOLLAR AND RUN, LEAVE EYESORES THAT HAVE NO REMEDY. THAT IS WHY, AS WAS THE CASE WITH REGIONAL POWER PLANNING, A NATIONAL FRAMEWORK WAS NEEDED AND WAS ACCOMPLISHED.

The editorial then moves to the point of catalytic action. ...

> THIS MEANS A NATIONAL SCENIC AREA DESIGNATION, A NEW APPROACH TO PROTECTING LOCAL, STATE AND NATIONAL INTERESTS.

Precisely, what "the generations" have been saying. Commendably, what the great naturalist, President Theordore Roosevelt, had in mind and did. Modestly, the base for the recommendations of Gertrude Jensen's credible and dedicated experience. At this date, it is a justified signal for the required action.

Supporting these views is another tape recorded in 1954. It combines the insights of Mrs. Jensen joined by Marshall Dana, a strong advocate of Gorge protection, a promoter of the Columbia River Highway and regional development, and an instigator of and rallyor for a bold move of conservation and control by Federal mandate. Mr. Dana, a respected journalist and public servant, in the interview presents a "seven point approach - complementing the Jensen proposal - as a means to achieving protection of the Columbia River Gorge and its splendor as a national resource and a universal showcase for nature.

It was just 65 years ago, during Rose Festival, that the Columbia River Highway was dedicated. Today, through the Survey Project, a means to resurrect the true usefulness, the majesty and beauty, and the orignal intent of "serving the peoples of the region" is underway.

The great and greater consideration of the conservation and preservation of the Columbia River Gorge can be an equal reality.

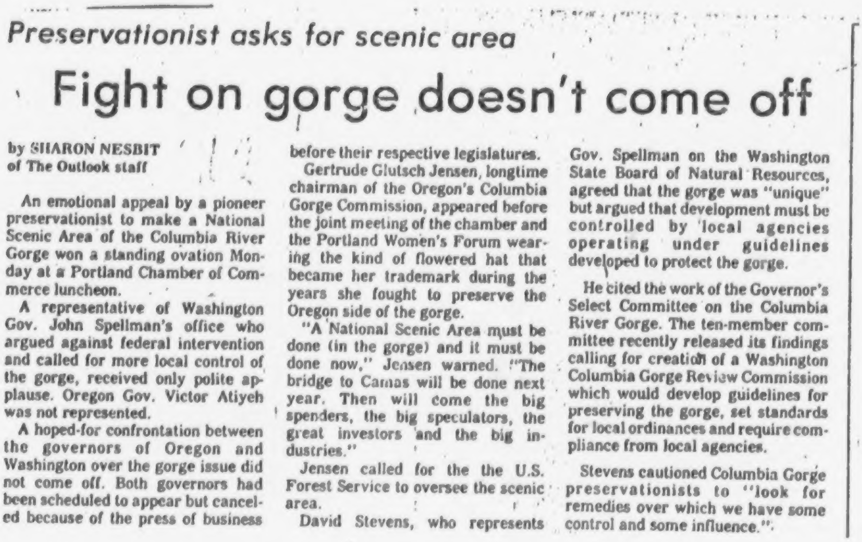
How can we assist in making it happen with your cooperation?

(N.P. As of this date the endorsements, citations, contributions, and range of participation in the Survey Project and the concerns for the Gorge* are most encouraging and growing with every day. This assures a determined setting of "welcome anticipation" for the action suggested and directed to the attention of the President of the United States.

*in consolidating long lists of organizations and leadership that has declared endorsement of and sponsorship for this cause:
- multi-state citizen support, participation and understanding
- the Governors of Oregon and Washington
- non-partisan leadership local/state/regional
- an enthusiastic range of support from the Columbia Corridor communities
- dedicated resolve to action by private sector, business, professions
- the inspiration and determination of [illegible] generations of heart and hope)

Attachment #6

Jan. 19, 1982
Out Look
Gresham, Oregon



Preservationist asks for scenic area

Fight on gorge doesn't come off

by SHARON NESBIT
of The Outlook staff

An emotional appeal by a pioneer preservationist to make a National Scenic Area of the Columbia River Gorge won a standing ovation Monday at a Portland Chamber of Commerce luncheon.

A representative of Washington Gov. John Spellman's office who argued against federal intervention and called for more local control of the gorge, received only polite applause. Oregon Gov. Victor Atiyeh was not represented.

A hoped-for confrontation between the governors of Oregon and Washington over the gorge issue did not come off. Both governors had been scheduled to appear but canceled because of the press of business before their respective legislatures.

Gertrude Glutsch Jensen, longtime chairman of the Oregon's Columbia Gorge Commission, appeared before the joint meeting of the chamber and the Portland Women's Forum wearing the kind of flowered hat that became her trademark during the years she fought to preserve the Oregon side of the gorge.

"A National Scenic Area must be done (in the gorge) and it must be done now," Jensen warned. "The bridge to Camas will be done next year. Then will come the big spenders, the big speculators, the great investors and the big industries."

Jensen called for the the U.S. Forest Service to oversee the scenic area.

David Stevens, who represents Gov. Spellman on the Washington State Board of Natural Resources, agreed that the gorge was "unique" but argued that development must be controlled by local agencies operating under guidelines developed to protect the gorge.

He cited the work of the Governor's Select Committee on the Columbia River Gorge. The ten-member committee recently released its findings calling for creation of a Washington Columbia Gorge Review Commission which would develop guidelines for preserving the gorge, set standards for local ordinances and require compliance from local agencies.

Stevens cautioned Columbia Gorge preservationists to "look for remedies over which we have some control and some influence."

Attachment #7

Stevenson, WA
Skamania Co. Pioneer
(Cir. W.)

DEC 1 0 1982

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962

BY ROY CRAFT Editor Emeritus

Talking It Over

I hope the people of Skamania County appreciate what a powerful ally we have in Gertrude Glutsch Jensen of Portland in our fight to save the Columbia River Gorge from a federal takeover.

Of all the many good people who are working to save the Gorge from a group of Portland socialites who would have it designated a "scenic area" and subject the property owners to federal land condemnation, none can match Mrs. Jensen in her dedication to the preservation of the beauties of the Gorge.

For decades the name Gertrude Glutsch Jensen has been synonymous with conservation. Working diligently and at her own expense, and with the cooperation of like-minded members of the Portland Women's Forum, Mrs. Jensen managed to implement numerous land-swaps that placed in federal ownership several particularly vulnerable beauty spots on the Oregon side of the Columbia. All of these trades were accomplished with neither the threat nor the power of condemnation. All trades were accomplished willingly.

Two-thousand acres of private land were swapped for Bureau of Land Management property and 1,000 acres for Forest Service property. These exchanges were accomplished before 1970. Not one acre was condemned.

Mrs. Jensen suggests that similar swaps might be arranged for certain critical areas if needed, but she sees nothing wrong with the way the people of Skamania and Klickitat Counties in Washington and Wasco, Hood River and Multnomah Counties in Oregon have protected the Gorge.

Mrs. Jensen suffers from a malignancy for which she receives regular treatment, and underwent major surgery early this year, but despite her ill-health, she made a trip to The Dalles two weeks ago, riding up on the Oregon side and returning on the Washington side of the river.

"I never saw such beauty. There were none of the scars on the landscape which sponsors of the federal takeover have reported," Mrs. Jensen said.

She was a longtime chairman of the Oregon Columbia Gorge Commission and was long active in the Women's Forum. She recently outlined her views at a Forum meeting attended by many other Past Presidents. She was applauded for her stand against the position taken by the "Friends of the Gorge", the heavily-financed group which drafted the proposed federal legislation.

Mrs. Jensen explained to the Forum the condemnation provisions of the legislation and most of those present were shocked to learn that the "Friends of the Gorge" bill would threaten property owners all along the Gorge with forced sale by condemnation.

Mrs. Jensen pointed out that the "Friends" had distributed a purported summary of the bill's provisions which carefully omitted any reference to condemnation. This is "misrepresentation by omission", Mrs. Jensen noted, since the false summary made the legislation appear innocuous.

She had originally trusted the summary but took the trouble to read the fine print in the legislative draft and discovered that property owners would be completely at the mercy of a new federal bureau and that the condemnation threat would hang over the heads of every home and property owner living outside incorporated areas in the five counties.

"Why shouldn't there be homes and even condominiums, if tastefully planned and properly landscaped, in the Gorge?" Mrs. Jensen asks rhetorically.

We have in Mrs. Jensen a strong ally and one whose credentials, as far as Gorge protection is concerned, overshadow those of former Governor Tom McCall or any of the other Gorge legislation advocates who would turn this lovely area into a private playground for the wealthy few, at tremendous government expense.

Attachment # 7B

5. Management plan

An interdisciplinary planning team selected by the Chief of the Forest Service will develop a management plan for the National Scenic Area. The plan will designate appropriate uses of lands in the Area in order to achieve the purposes of the Columbia Gorge Act. It will be based on an inventory of the Area's resources, including archaeological, social, economic, forest, historical, natural, geological, recreational and scenic values. Whenever possible, state and local land use policies will be incorporated into the management plan, provided they are consistent with the purposes of the Act.

When completed by the Forest Service, the management plan will be submitted to the Regional Commission which will have six months to review it and hold public hearings on it. At the end of the six-month period, the Regional Commission will vote on the plan.

If the Regional Commission approves the plan, it will go into effect.

If the Regional Commission votes against the plan, it will be sent to the Secretary of Agriculture. He will have 90 days to consider the objections of the Regional Commission to the plan. He may modify the plan to meet the objections, but is not required to do so. At the end of the 90-day period, the Secretary will resubmit the plan to the Regional Commission.

The Regional Commission will again consider the plan for 90 days. At the end of this 90-day period, the Secretary of Agriculture can adopt the management plan even without the approval of the Regional Commission.

6. Acquisition

The Secretary is authorized to acquire land through donation, purchase, exchange or bequest. He must seek the advice of the Regional Commission on all acquisitions.

As a last resort, the Secretary may condemn land, subject to the following limitations:

a. Exemption for non-critical Gorge lands. Only lands classified as critical, i.e., essential for maintaining the uniqueness of the Gorge, could be condemned. Critical lands will be identified in the map which accompanies the Gorge bill.

b. Exemption for single-family residences, farming or grazing. Critical lands which were used for single-family residences, farming or grazing before July 1, 1981 cannot be condemned, provided the use of the land is not changed.

c. Overall cap on condemnation. No more than 10 percent of the total acreage within the Area can be acquired by condemnation.

d. Condemnation is a last resort. Condemnation can proceed only when the Secretary of Agriculture determines that all reasonable efforts to acquire the land by negotiation have failed. Other land-protecting options, such as scenic easements or land exchanges, must be tried first and could prove to be very successful.

7. Interim management

Within six months after the enactment of the Act, the Secretary of Agriculture will identify interim critical areas and adopt interim standards and guidelines governing all land use activities within the Area with the advice of the Regional Commission. These will be in effect until the management plan for the Area is adopted.

FRIENDS OF THE COLUMBIA GORGE

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1703 Main Street
Vancouver, Washington 98660
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March 1984

The Columbia River Gorge National Scenic Area Act of 1983

Re-introduced by Senators Mark Hatfield and Bob Packwood, and Congressmen Les AuCoin and Jim Weaver on March 1, 1983.

Senate Bill 627 and H.R. 1747

SUMMARY OF MAJOR PROVISIONS

1. Findings and purposes of the bill

Findings: The Columbia River Gorge contains magnificent scenic, natural, and recreational values of national significance. It is a unique historical, geographical, biological and cultural area. There is evidence that it has been inhabited by man for over 11,000 years. It contains many threatened and endangered species of plants and animals. Human activity in the Gorge has been intense, but the uniqueness of the Gorge has been largely preserved. However, the Gorge is threatened by rapid population growth and a lack of coordinated management among the more than 50 local, state and federal jurisdictions and agencies located there. The resources and overall authority for protecting the Gorge are lacking.

Purposes: To establish an effective partnership between federal, state and local government for developing a single management plan for the Gorge. To protect the scenic, cultural, natural, historical, archaeological and economic resources of the Gorge. To supplement local and state plans in order to protect the Gorge's existing character while protecting critical lands and allowing development only when consistent with preservation of existing scenic, natural and cultural values.

2. National Scenic Area

The bill establishes the "Columbia River Gorge National Scenic Area" for the purpose of protecting all the resources of the Gorge -- scenic, natural, cultural and economic. The Area would extend along the Gorge from the Sandy River on the west to the Maryhill Museum on the east. It would include approximately 310,000 acres, or about 480 square miles. All incorporated cities would be excluded from the Area, so their future growth would be ensured.

3. Administration of the National Scenic Area

The Area would be administered by the Secretary of Agriculture, through the U.S. Forest Service, with the advice and assistance of a Regional Commission. The Forest Service and the Regional Commission will involve the public and local, state and federal government agencies to the fullest extent possible in making decisions. They will consult with interested and concerned citizens and conduct public hearings within Gorge counties.

4. Regional Commission

A 14-member Regional Commission will advise and assist the Secretary of Agriculture and the Forest Service on management decisions in the Scenic Area. Membership of the Commission breaks down as follows: one member each from each of the six counties along the Gorge; two each from Oregon and Washington, appointed by the Governors; three appointed by the Secretary of Agriculture; and the Chief of the Forest Service or his designee as a non-voting, ex officio member.

The Regional Commission will be provided the staff it needs.

The specific responsibilities of the Regional Commission will include:

a. Assisting the Forest Service Chief in the development of the management plan for the National Scenic Area.

b. Facilitating communication and coordination among residents, landowners, and federal, state and local government agencies.

c. Reviewing and monitoring the implementation of the National Scenic Area management plan.

d. Reviewing all land acquisition proposals involving the potential use of eminent domain.

Former Oregon Gorge Commission Chairman Speaks Out Against Federal Takeover

EDITOR'S NOTE:

No single individual has done more to protect the beauty of the Columbia River Gorge than Gertrude Glutsch Jensen of Portland. Mrs. Jensen and fellow members of the Portland Women's Forum initiated plans to preserve the Gorge 35 years ago and helped in the formation of the original Oregon Columbia River Gorge Commission.

Mrs. Jensen served as chairman of the Commission for 16 years and was the recipient of major national and state conservation awards. Distressed at recent political developments involving the Gorge, Mrs. Jensen prepared the following position statement, most of which appeared in the December 14 edition of the Portland Oregonian.

Mrs. Jensen has authorized its publication in the Pioneer.

By Gertrude Glutsch Jensen

With a temporary lull in the Columbia Gorge controversy, this seems a good time for a calm reappraisal of the issues which have divided people of good will on both sides of our great river.

The preservation of the Columbia River Gorge has been a subject close to my heart for many decades. I believe my years of service as an organizer and for 16 years chairman of the Oregon Columbia Gorge Commission, my work with the Portland Women's Forum in helping save critical Gorge areas, and my record of dedication to the beauties of our area entitle me to express an opinion.

My health has not permitted me to be active in recent years but I hope to "have my say" before it is too late to prevent injustice.

I am opposed to any Federal legislation which includes the right of condemnation of private property and I am opposed to any National Scenic Area legislation which would restrict the rights of the citizens of Oregon and Washington to build and enjoy properly landscaped homes on their property in the Columbia River Gorge.

During my active years I assisted in the acquisition of over 3,000 acres of scenic property on the Oregon side of the river. This was accomplished by friendly exchanges and not one trade was forced by threats of condemnation.

When my support of the Packwood legislation was solicited, I was told only that it was a bill to secure the preservation of the Gorge. As presented, it sounded reasonable.

I took the trouble to obtain a copy of the proposed bill and I was terribly disturbed. While it professed to embrace an extended area in five counties on both sides of the Columbia, it was obviously aimed almost exclusively at Skamania County in Washington. Tucked away in fine print were provisions which would disenfranchise most of the citizens of that pretty little county and place almost every home and piece of property (within view of the river) into a federal preserve.

Gertrude Glutsch Jensen

Only those persons living within the narrow limits of two incorporated towns, Stevenson and North Bonneville, would be able to make a move, build a home or alter an outbuilding without the approval of a cumbersome committee armed with full Federal authority, including the right of condemnation.

Sponsors of the bill remark casually that "only a few critical areas" would be involved, but a glance at the map which accompanies the bill and has not been circulated publicly, shows that almost the entire stretch of Skamania County from Cape Horn to the Klickitat County line is their "critical" target.

Nothing quite like it has happened in the United States, with the exception of certain Federal park and game refuge takeovers, and this is aimed at living, thriving communities which have proved themselves capable of safeguarding their heritage without a Federal takeover.

I was appalled when Washington State residents, including a state senator and two state representatives from the affected district, were denied the right to testify at a hearing in Hood River conducted on the proposed bill by Senator Packwood. This is not the American way and I do not think it would have been Senator Packwood's way had he known that the zealous supporters of the legislation were allowing none but favorable testimony into the committee records.

I was further distressed when I observed the treatment accorded Colonel George Rizor when he proposed to develop a number of beautiful homes on the Washington side of the river on property he had owned for more than 20 years.

He was assaulted in the Portland media as an unscrupulous developer who would ravish the beauty of the Gorge. It is true the property is across the river from Multhomah Falls but it is also true that a wooded island lies between the Falls and the Washington shore.

Colonel Rizor was not attempting to defile a virgin setting. Years ago his property was the site of the Kendall estate with well-groomed grounds and it was certainly no eyesore. His modest proposal would have placed some 25 carefully landscaped homes on some 67 acres of shorefront and hillside.

Before the fortuitous purchase of his property by the Trust for Public Lands, Colonel Rizor had been harassed almost to bankruptcy by litigation inspired by Oregon zealots and financed by contributions from a well-meaning but ill-informed public. Continued threats of litigation have been levelled at anyone who presumes to plan a home in sight of the Orego shore.

Why, I ask, shouldn there be homes on th Washington side of th Columbia? Since cataclyami upheavals formed our grea Gorge of the Columbia, ma has made it his home. It ha been the Northwest's majo artery of commerce an travel and it has been living, vibrant geographica entity, and not just a steril landscape.

I am told a development o several nice homes is bein planned near Skamania an that Oregonians are gearin up for legal action to oppos it, even though it may mee all federal, state and loca criteria. People were livin there when Lewis & Clar visited in 1805-06 and th Indian villages were followe by mill towns as well a estates with formal gardens Why would new home defile the landscape?

The Gorge is 125 mile long, extending from th Sandy River on the Orego

(Continued On Page 2, Sec. 2)

Stevenson, WA
Skamania Co. Pioneer
(Cir. W.)

DEC 23 1983

Attachment #8

More About Takeover

(Continued From Page One)

side to four miles beyond Arlington and McNary Dam, which is east of The Dalles. On the Washington side, the cut through the Cascade Mountains begins at about Maryhill and continues west beyond Cape Horn.

The Washington side, and specifically Skamania County is the true target of the proposed Federal legislation, and yet it is Skamania County, above all others, which merits our praise rather than our condemnation. During the past two years I have taken occasion, when my health would permit, to make several trips up and down the Gorge.

Of the five counties, Skamania has done the best job of keeping out unsightly and polluting industry and its steep cliffs and rugged escarpments preclude the type of ticky-tacky residential development which has blighted so much of our beautiful Oregon.

Backers of the proposed Federal takeover have spent hundreds of thousands of dollars, mostly from public donations, to mount a well-orchestrated campaign of hysteria. In this they have been supported by the Portland media and free TV time has been made available to raise funds for such projects as the legal harassment of George Rizor and anyone else who proposes to build a home viewable from the Oregon shore.

The original concept of the Columbia Gorge Commission was an advisory body, formed to alert the public of any threat to the environment and with the confidence that the people would take proper steps.

Instead, it appears to be developing into a supra-legal body, with a paid staff, attempting to usurp the authority of elected officials and even participating in legal actions against those who would build homes in the Gorge.

This has been a difficult period for all who live in or own property in the affected areas. Outsiders, mostly Oregonians, have decided that the Great Temple that is the Columbia Gorge should be looked at but not lived in and that there should be no homes and yards and children at play on the banks of our matchless river.

There isn't much I can do to help my friends across the river except to raise my voice against this injustice. I feel I have earned the right.

I suggest that neither the Packwood Bill nor the complicated two-state legislation proposed under pressure by Oregon and Washington Governors, is necessary or desirable.

I suggest that Federal agencies be authorized to engage in "land swaps" with private owners of the few truly critical areas, on a free-will basis and without the power or threat of condemnation. This was once possible and could be again.

I suggest that the Gorge Commissions representing the two states continue in an advisory posture, as originally intended, and refrain from taking legal adversary positions against elected government bodies. The effectiveness of the Gorge Commission would in no way be diminished.

I am grateful for the many honors that have been accorded me over the years for my work on behalf of the Gorge, and I hope that while I am still here, the Columbia Gorge controversy will be a thing of the past and that residents on both sides of the Columbia will be free to live in and enjoy this masterpiece of nature.

962

Attachment
#9

From:
Friends of the Columbia Gorge
519 S.W. Third Ave, Suite 810
Portland, OR 97204

FOR IMMEDIATE RELEASE
October 29, 1984

Contact:
Bowen Blair, Executive Director
Portland (503) 241-3762
Seattle (206) 622-4590

GORGE GROUP FILES LAWSUIT

Friends of the Columbia Gorge, a 3,500 member non-profit organization dedicated to the preservation of the Columbia River Gorge, filed a lawsuit today to halt the proposed $1.5 million Hidden Harbor subdivision in Skamania County, Washington.

The Elisabeth Roane Jung Land Trust proposal consists of 83 lots on a 78.5-acre parcel with 2,200 feet of Columbia River waterfront, and includes plans for the dredging of a three acre private marina. The subdivision site is located in the Columbia River Gorge, two miles west of Beacon Rock State Park.

The Jung Land Trust, which has sponsored developments in Palos Verdes and Palm Springs,California, plans to place approximately 170,000 cubic yards of fill material to raise portions of the site above the 100 year flood level. The majority of lots will be served by individual septic tanks.

The site presently is open space land, with the exception of a caretaker's residence, and is used primarily for grazing and hay production.

The subdivision has created considerable controversy in Skamania County, and has been opposed by Friends of the ColumbiaGorge, the Oregon and Washington Gorge Commissions, local residents and numerous conservation organizations.

Bowen Blair, executive director of the Friends organization, announced the appeal to the Washington Shorelines Hearings Board of the September 25 decision by the Skamania County Commissioners to grant the Jung Land Trust a substantial development permit.

Blair cited the "significant, adverse environmental and aesthetic impacts of this subdivision on important open space lands in the Columbia Gorge," as the basis for the Friends' opposition to Hidden Harbor, in addition to "the damaging precedent set by the Skamania County Commissioners, who steadfastly continue to approve large-scale subdivisions on critical Gorge lands, instead of devoting time to the drafting of a zoning ordinance."

"Unfortunately, until comprehensive federal legislation is passed to protect the Gorge, litigation is the only alternative to fill the planning vacuum which exists in Skamania County."

Friends of the Columbia Gorge is represented in this lawsuit by Seattle attorneys Alison Moss of Keith Dearborn, P.S., and Joseph E. Schickick, Jr. of Riddell, Williams, Bullitt & Walkinshaw.

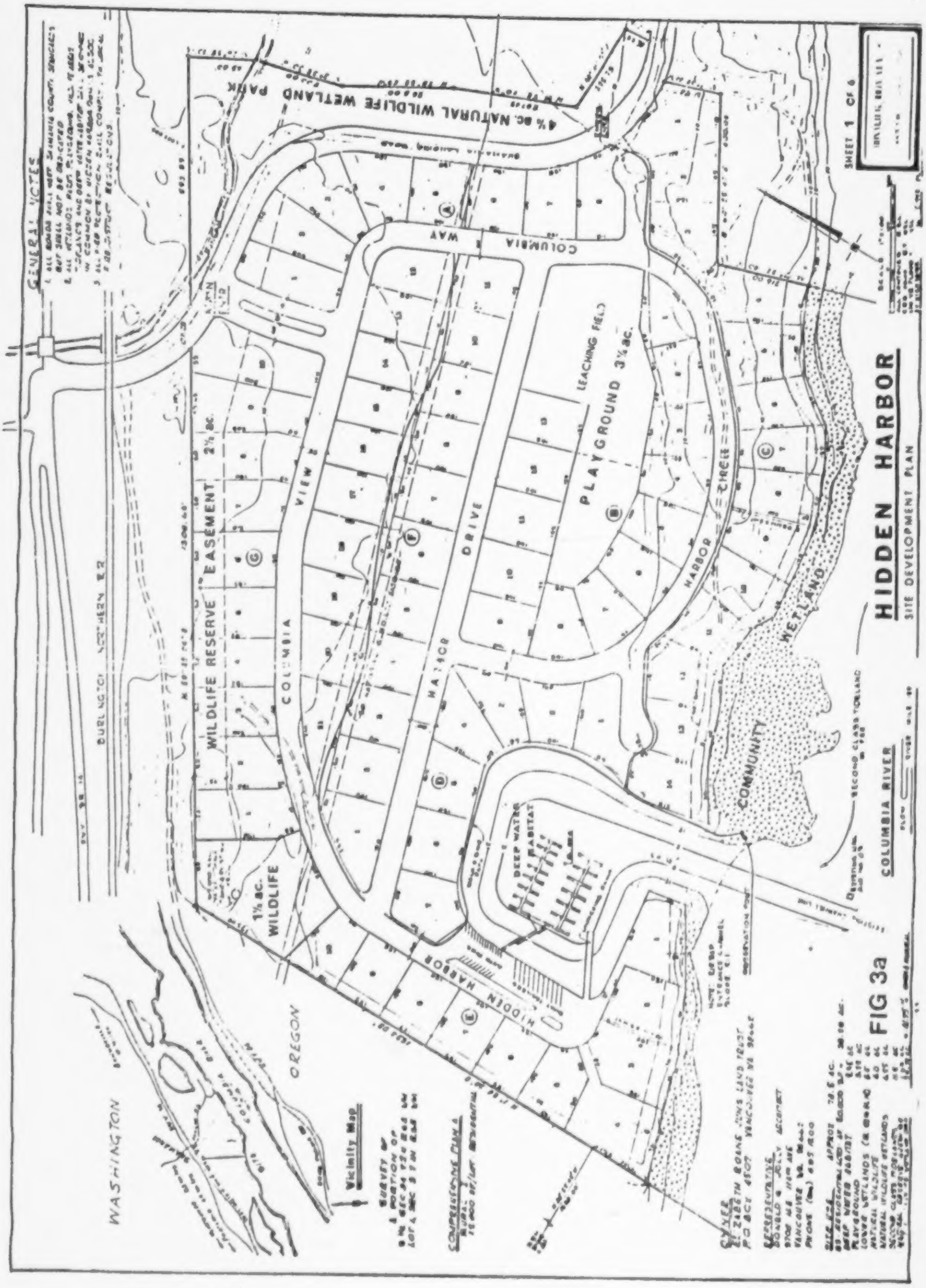
HIDDEN HARBOR
SITE DEVELOPMENT PLAN
GENERAL NOTES
4½ ac. NATURAL WILDLIFE WETLAND PARK
COLUMBIA WAY
PLAYGROUND 3½ ac.
LEACHING FIELD
HARBOR DRIVE
COLUMBIA VIEW
WILDLIFE RESERVE EASEMENT 2½ ac.
1½ ac. WILDLIFE
HIDDEN HARBOR
HARBOR CIRCLE
DEEP WATER HABITAT
COMMUNITY WETLAND
COLUMBIA RIVER
BURLINGTON NORTHERN R.R.
WASHINGTON
OREGON
Vicinity Map
SHEET 1 OF 6
A
B
C
D
E
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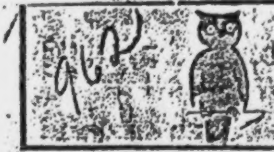
FIG 3a

Stevenson, WA
Skamania Co. Pioneer
(Cir. W.)

APR 27 1984

Allen's P. C. B Est. 1888

Attachment #10



BY ROY CRAFT Editor Emeritus

Talking It Over

A former subscriber, in discussing Columbia Gorge issues in a letter to the editor, hinted darkly at a "letter written by one person and signed by another," and suggested checking with Emeritus. I'm the Emeritus and no doubt the article referred to was one written by Gertrude Glutsch Jensen, the former Columbia Gorge Commission chairman who is strongly opposed to a federal takeover.

I may as well set the record straight, since the Friends of the Gorge and some members of the present Gorge Commission are doing everything possible to discredit Mrs. Jensen.

Some months back Mrs. Jensen, who is an old and dear Friend, asked for my help in typing an article she planned to submit to the Oregonian. She had undergone eye surgery and was almost blind but she could not stand by and see the Friends of the Gorge run roughshod over the rights of people who make their homes on the banks of the Columbia.

Gertrude and I have worked together since we first served on the Regional Forester's committee studying the advisability of a tramway at Cascade Locks. The committee favored that project but it was destroyed by environmentalist litigation.

Gertrude and I have maintained our friendship over the years and I was more than happy to help her when she couldn't read and found writing difficult. We spent a lot of time on the phone and I would copy down her ideas, type them up and then read them back. Eventually she had the article the way she wanted it and I asked some friends at the Skamania County Courthouse to make copies for me.

Mrs. Jensen sent her article to the Oregonian and it was published. Immediately the editors received protests from Friends of the Gorge saying Roy Craft and not Gertrude had written it. It seems a staff member of the Gorge Commission, who is hand-in-glove with the Friends, had passed the word.

One Oregon member of the Commission phoned Gertrude to tell her she needn't rely on Craft for information as the Commission knew everything that was going on in Skamania County and would keep her informed.

The Friends of the Gorge will do anything to discredit anyone who opposes them, but they will have a hard time convincing newspaper editors that Gertrude Jensen can't compose her own letters. She has written scores of articles over the years and the fact she needs secretarial help when she can't see to read or write is no reflection on her mental processes.

I am happy to report that Gertrude's eye surgery was successful and she received new glasses a couple of weeks ago. She says she can see again and this Easter Sunday was one of the happiest of her life.

I shall continue to help with her typing. Ol' Emeritus won't turn his back on a friend even if the Friends of the Gorge think he should.

• • •

Gracie and I were gone most of last week and also over the Easter weekend and I didn't know the baby geese were showing up on Hegewald Pond until I saw the picture McLarney had taken for this week's Pioneer.

I immediately went back to the house and got Gracie and we drove around the pond and saw two gaggles of honkers — one pair of Canadas with their babies on a grassy bank, and another pair with a flotilla of their young out in the middle of the pond.

Back at home we watched a tiny hummingbird refresh himself at our feeder. I put the feeder up the other day after talking with Bud Rhode of North Bonneville. Bud was bragging about all the hummers who are showing up at his place so I thought I'd better get going. I can't stand a person who boasts about his birds, especially when I don't have any like them.

337

COLUMBIA RIVER GORGE

HEARING

BEFORE THE

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION UNITED STATES SENATE

NINETY-EIGHTH CONGRESS

FIRST SESSION

ON

THE COLUMBIA RIVER GORGE

FEBRUARY 10, 1983

Serial No. 98-7

Printed for the use of the
Committee on Commerce, Science, and Transportation

U.S. GOVERNMENT PRINTING OFFICE
17-868 O WASHINGTON : 1983

More Federal ownership of the gorge means less private ownership. More Federal ownership of private lands means more cost to the taxpayers.

We urge you to let the citizens of the gorge continue to do what they have done so well in the past—govern themselves.

I have heard some comments previous to my point here talking about shipyards, and stuff. Well, I'm a traveler, like everybody. If you go to Boston, they have tours of nothing but traveling through the shipyards, seeing the shipyards. So, industry probably will not hurt the gorge for tourism.

Some of the most attractive things I've seen are watching some of the industries at work.

Then I've heard comments about multipliers for tourism. Folks, one of the best multipliers there are, as the Senator is aware of, is the multiplier used in the building of homes. In fact, I'm not sure what the multiplier is today, but in the past it's been as large as a 4 to 6 multiplier per income generated in the community.

I have heard people talk about the zoning issue, and I'd like to leave a comment on that. I'm not here today to argue about zoning, but I'd love to get into that discussion anytime. Because the truth of the fact is zoning has nothing to do with land use regulation. Zoning has to do with people control.

The first zoning act was done in New York City in approximately 1916. It was done for one purpose, to regulate the Orientals within the business community, to keep them out of certain neighborhoods. That's a fact of law.

Let's not talk about zoning, let's talk about the people. I urge you to consider first local control and let the people of the gorge continue to do what they've done best. Thank you.

The CHAIRMAN. Thank you.

[The statement follows:]

STATEMENT OF JIM CARPENITO, PRESIDENT, COLUMBIA GORGE UNITED

Our organization appreciates this opportunity to present this testimony and documentation on the Columbia Gorge issue. Columbia Gorge United—People Opposing Federal Control grew out of a consensus among citizens in both Washington and Oregon. Columbia Gorge United's elected Board of Directors includes residents from all six counties which would be affected by the proposed national scenic area. Our membership now includes groups and individual throughout the Gorge and the Portland-Vancouver metropolitan area. We understand that today's hearing is to focus on commerce and tourism in the Gorge. However, in order to do that one must understand that the Columbia River Gorge is an area of infinite variety. It is not only the scenic beauty that goes with the lush forest, sagebrush desert, and towering cliffs, but also the many uses of the Gorge itself that give it this variety.

The Gorge contains approximately 41,000 local inhabitants, three major hydroelectric dams with navigation locks for extensive barge traffic, 82 miles of major interstate highway on one side of the Columbia River, 83 miles of state highway on the other side of the river, a minimum of 115 miles of county roads, 24 miles of designated scenic highway, 50 miles of logging roads, 220 miles of power and gas transmission lines, 170 miles of two major mainline railroads, 5 sawmills, 2 plywood plants, and 2 chip plants, 2 aluminum reduction plants, one wood products treatment plant, 8 incorporated cities and 15 unincorporated cities, 44 private, state and federal parks and recreational facilities, orchards, farmland, intensively managed small and industrial woodlands, 4 bridge crossings of the Columbia River, 5 fish hatcheries, 6 Port Districts, 24 miles of walking trails, including a natural scenic trail, 2 forest service scenic areas and one wilderness area. As you can see the Gorge is not only a scenic area but a major economic transportation corridor.

In the past only one side of the Gorge issue was being heard. Today people are asking why federal control over more private property in the Gorge? Why can't tourism be promoted with federal intervention? We would like to point out the following facts:

First, is the support for federal control as strong as the proponents claim. Not according to the data we have compiled.

1. Skamania County—November 3, 1981, 87 percent voted against federal control
2. Cascade Locks area—July, 1982, 96.8 percent oppose federal government
3. Portland Metropolitan area—October, 1982, Independent survey conducted by Moore Information, Inc. showed 65 percent opposed federal management

Plus many others have gone on official notice in opposition to federal control (please see back-up package).

Next, the proponents of federal control say that the local governments have no tools to control growth. This is totally false. Washington and Oregon have in place and are using the following:

1. Planning Enabling Acts
2. Subdivision Laws
3. Shoreline Management
4. Statewide Health Codes

Plus, there are local building and planning regulations. What supporters of federal control mean is "they want their lobbyist to have control." This brings us to point Number Three.

Federal control of the Gorge will remove the right of local citizens to regulate their own communities. It will place their future in the hands of powerful lobbyists in Washington, D.C. If you look at the proponents of federal control you will see they have budgets exceeding Seventeen Million Dollars. They are considered some of the most powerful lobbyist in Washington, D.C. Once they gain federal control they will direct the future of the Gorge not the local citizens. Finally, both Oregon and Washington have active programs to promote tourism. In addition, groups like the Chamber of Commerce and Mid Columbia Marketing are focusing on tourism in the Gorge. Plus local businesses will contiunue to promote tourism to expand their economic base. Both States have adopted Historic Register Acts which also allow local communities to preserve structures and assist tourism. There is much more we could say on this issue. You will find other points in our back-up package. We would like to leave you with some thoughts. There are over 41,000 people living in the Gorge. They came to the Gorge to build their homes, start their businesses, raise their families and regulate themselves. They love their communities and the land. Those of us who have heard their voice believe in their right to govern themselves. We believe they understand what the Gorge means to all of us. We will continue to carry their message to the Nation.

We must all recognize that further federal control in the Gorge will not eliminate one single government agency. it will only add another level of bureaucracy. More federal ownership of the Gorge means less private ownership. More federal ownership of private lands means more cost to the taxpayers. We urge you to let the citizens of the Gorge continue to do what they have done so well in the past—govern themselves.

The CHAIRMAN. Commissioner Benson.

Mr. BENSON. Thank you, Senator.

The CHAIRMAN. The people in back may not be able to hear you, so get a microphone that's live and speak right into it.

Mr. BENSON. We in Skamania County have been accused of being backward hillbillies, if you will. The experience here certainly shows that we are naive. We were told and believed that this would deal with commerce. I have heard regional, bistate, and the L.C.D.C. discussed here as it would control Skamania County. I think that's a far cry from commerce.

In spite of the fact Skamania County would be the area most critically affected by any gorge legislation, it was not until yesterday that any elected official from Skamania County was afforded the opportunity to testify at this hearing. Indeed, without the help of Senator Jackson, I would not be here today.

Much of the private property within the gorge boundaries is located within Skamania County. We feel that tourism is only one factor in the future of the gorge. Any proposed legislation could have other negative effects that could far outweigh the benefits of tourism.

These negative effects include the loss of local control and individual property rights. The persons allowed to speak at this hearing do not fully represent those who will be directly affected by changes in the economic base and land management regulation; and, in fact, most live out of the area and are proponents of Federal management of the gorge.

I might add that the large preponderance of these people are, indeed, tourists themselves. Ninety percent of the people who live in Skamania County voted in our last election to retain local control and opposed any form of Federal control.

For these reasons, I go on record as adamantly opposing this hearing as representing any kind of an open, public hearing that reflects the wishes of the people of the area.

Skamania County, in conjunction with Klickitat and Clark Counties, has signed an interlocal agreement to develop a plan and guidelines for the Washington side of the gorge. We feel we can provide for tourism and other economic activities, while preserving the natural and scenic qualities of the gorge.

Skamania County, incidentally, was the first county to have their shoreline management plan approved. We led the whole State in that.

We want hearings scheduled in the gorge that not only assess the effects of tourism on the gorge, but also the overall effect of any management proposal. We want an opportunity for all members of the public to speak before a Senate Committee without content censorship. We want those hearings to be held in an area that is accessible to the public affected—that is, in Skamania County, in Washington State, or in Oregon, but not in Washington, D.C. Thank you.

The CHAIRMAN. Let me say again, commissioner one of the reasons the hearings are somewhat limited is that the Commerce Committee will not have jurisdiction over a gorge bill if it's introduced. I have jurisdiction over some commerce, some tourism, and that is a fair portion of what this hearing is on. If the bill is introduced it will go to a committee chaired by Senator McClure of Idaho, the Energy Committee, and that is one of the reasons why I'm not quite at liberty to throw it open and do just anything. We try to observe each other's jurisdiction, as you do in your local government.

But, short of that, as I indicated we had over 200 requests to testify. It was very clear that much of it would have been repetitive. I'm not sure there are 200 different viewpoints.

There will be other hearings, and others will get to testify, and maybe some of you will testify again. I can assure you of that.

Let me ask you this, commissioner; do people who live outside the gorge have any right at all to say how the gorge is managed?

Mr. BENSON. How far outside? Where do you draw the line? I mean——

The CHAIRMAN. Well, let's just go anywhere. Seattle?

Mr. BENSON. No.

The CHAIRMAN. They don't?

Mr. BENSON. We don't interfere in their Puget Sound or Lake Washington.

The CHAIRMAN. Portland?

Mr. BENSON. No.

The CHAIRMAN. No right?

Mr. BENSON. No.

The CHAIRMAN. Vancouver?

Mr. BENSON. No. Well, just their 2 miles that are within the gorge.

The CHAIRMAN. In other words, only those who actually live in the gorge have any right to say how it should be managed?

Mr. BENSON. As it pertains to their property rights and their rights as citizens in this country, yes.

The CHAIRMAN. All right. Now, let me ask you this. We have voted a number of times, and may again, on the expansion of the Redwoods National Park. Should the Federal Government be involved in that at all, or should only local people decide whether or not the redwoods are cut or saved?

Mr. BENSON. I would say, regarding the redwoods, the Sierra Club is so strong down there that I'm sure they will protect them through State legislation.

The CHAIRMAN. You know, that's an interesting answer because you mentioned State legislation, and yet that would be passed by an overwhelming bulk of people who live outside the area of the redwoods.

Should the redwoods be left to the management just of the people who live around them?

Mr. BENSON. It would be to their advantage to manage them properly.

The CHAIRMAN. Well, my question is—and this is really a philosophical question involving Government—does the Federal Government have any right, duty or obligation to set up national parks? Clearly people from all over the country are voting on setting up parks and wilderness areas in regions they don't represent.

Mr. BENSON. If those parks are set up on Federal land, either Forest Service, Bureau of Land Management, whatever, they do have the right. They don't have the right to come in, take people's homes away from them, take their land over; or, if they leave them there, tell them how they can carry on their day-to-day lives. No.

The CHAIRMAN. So, in essence, we had no right to create a fair portion of the Redwoods National Park which was created by purchase from some of the timber companies, and in some cases by condemnation?

Mr. BENSON. If you had a willing buyer and a willing seller, yes, but not with condemnation.

The CHAIRMAN. So, I want to come back again; Portland has no say in the management of the gorge, and Vancouver has no say except for, what did you say, the 2 miles of Clark County that are in the gorge?

Mr. BENSON. Right.

The CHAIRMAN. But Vancouver, none.

Mr. BENSON. No.

The CHAIRMAN. All right.

Mr. BENSON. We'll wait a minute, Senator. On this group I mentioned, this agreement we signed with Clark and Klickitat Counties, we are endeavoring through this group to form some reasonable guidelines for the preservation and the management of the Washington side. They won't be a management body, per se, they will be an overseeing body, as I see it, much as the Shorelines Act is.

Each individual county will have its own land use plan, its own zoning. They will be reviewed by this committee. If, after the plans are approved, if the commissioners give a variance where they shouldn't or don't give a variance where they should, then this oversight body is a board of appeals between the local county officials and the courts.

The CHAIRMAN. But it's a court of appeals, as I understand it from what you just said, from the zoning rules in each particular county?

Mr. BENSON. That's right.

The CHAIRMAN. So the appeal is: Did you follow the zoning requirements of that county?

Mr. BENSON. Right.

The CHAIRMAN. It is not in any sense a tri-county land conservation and development commission, as Oregon knows that term?

Mr. BENSON. Well, Senator, I keep hearing this L.C.D.C. If it is so successful, why is it being challenged in almost every county court in this State?

The CHAIRMAN. It's been on the ballot three times in Oregon and the people on each occasion have kept it. They've voted to keep it so they're apparently satisfied with it.

But I'm trying to find out what your intercounty zoning board is and what its powers are. It has no powers, I take it, to pass zoning legislation that affects all of the counties?

Mr. BENSON. It would take State legislation. That's what we are working toward.

The CHAIRMAN. So, basically, it's a board that you can appeal to about whether Skamania County followed the procedures and the laws of Skamania County?

Mr. BENSON. Right.

The CHAIRMAN. OK, now, I want to come back again because your basic position is that people who live outside the area have no rightful concern as to how those who live in the area manage it?

Mr. BENSON. That's right.

The CHAIRMAN. OK.

Mr. BENSON. When your bill was passed in Oregon, the coast bill——

The CHAIRMAN. Uh huh.

Mr. BENSON [continuing]. At the time, I was living in Newport, Oreg. I had five lots, and mean low water of the Pacific Ocean was my western boundary. Those lots were cut in half by your bill to save that.

The CHAIRMAN. You, I take it very clearly, were opposed to the Oregon beach bill?

Mr. BENSON. Certainly.

The CHAIRMAN. Again, under any circumstances there is no right of anybody in Seattle, Portland, or the city of Vancouver—because they're not in the gorge—to have concern or input as to how Skamania County or the other counties choose to manage their portion of the gorge?

Mr. **Benson**. We would welcome any suggestions or guidance. But, as far as anybody having a firm voice in the management of our affairs, no.

The **Chairman**. That is basically the attitude you would take generally about Federal parks, Federal scenic areas, anything; that unless they can be created on what is now Federal land, or unless a willing seller wants to sell, we should not and never should have created any Federal parks, recreation areas, or scenic areas?

Mr. **Benson**. That is right.

The **Chairman**. All right. Well, it's a very clear position.

I would say this. I would hate to think where we would be when we started the national park system if we had said no national park will be created if those who are living adjacent to it are opposed. I think we would have no national park system.

Mr. **Benson**. Senator, we have one of the greatest park systems, the greatest national forests, in the world. I mean the one. Don't you think we have enough?

The **Chairman**. I'm just saying they never would have been created at all. My experience in almost every situation—it was true with Hells Canyon, true with French Pete, true with the Cascade Head scenic research area, and you may be familiar with the Cascade Head area having lived in Newport—none of them would have been created if the decision had been left solely to those who live closest to it. I think your answer would be, therefore, that they shouldn't be created.

Mr. **Benson**. No; they shouldn't be.

The **Chairman**. OK, I have no more questions.

We need to take about a 10-minute break and then we'll come back with the next panel. Thank you, gentlemen.

[Recess.]

The **Chairman**. The hearing will come to order, please.

If those who want to stay would come in and those who want to converse would go outside we'd appreciate it. The fire marshal has indicated that we will have to shut the hearings down altogether if you block the exits. So unless you take seats, or else go outside nobody's going to get to testify and the fire marshal is going to preside.

Our next panel is Dennis Buchanan, the county executive for Multnomah County; Eric Hovee, the economic development manager from the city of Vancouver; and Mr. James Burke of Pacific Economica.

Chairman Buchanan?

STATEMENTS OF DENNIS BUCHANAN, COUNTY EXECUTIVE, MULTNOMAH COUNTY, OREG.; ERIC HOVEE, MANAGER, ECONOMIC DEVELOPMENT, CITY OF VANCOUVER, WASH.; AND JAMES BURKE, SENIOR ECONOMIST, PACIFIC ECONOMICA

Mr. **Buchanan**. Mr. Chairman and members of the panel, I appreciate, too, the opportunity to appear here today. I am Dennis Buchanan, Multnomah County executive, and a past member of

EXPLORATION
HOLIDAYS AND CRUISES
1500 METROPOLITAN PARK BLDG OLIVE WAY AT BOREN AVE
SEATTLE WASHINGTON 98101 206/625-9600 TELEX #32-9636

July 16, 1984

Mr. David L. Cannard
C.L.U. & ASSOCIATES, LTD.
113 West Third Street
Vancouver, WA 98660

Dear Dave:

The question you posed as suggested by John Priel, Mayor Bryce Seidl, Jim Fowler and others was: What is the single most significant step the business community could take to capitalize on the Tourist industry, and in the process tap the potential of the 1986 Vancouver, B.C. World's Fiar, and its 15-30 million visitors?

What follows is my response. You will recall when I spoke to the Business Roundtable in Vancouver, Washington, July 5, 1984, I spoke of the five "A's" of the Tourist industry. The five "A's" are: Access, Accommodation, Attitude, Attractiveness and Advertising. You have the first four items going for you now. Advertising (Awareness) is where the need exists. There is a difference between awareness and promotion. Everyone who is a candidate for attending the 1986 Vancouver. B.C. World's Fair is aware of two pieces of information:

1. aware of Vancouver, B.C. and its location;
2. aware of what a "World's Fair" implies.

With that awareness in existance, the Tourist industry in addition to Vancouver, British Columbia, the Province of British Columbia and the Canadian Government are now promoting tours and visits to Vancouver, B.C. in 1986.

In that process, practically every tourist contemplating a trip to Vancouver, B.C. will ponder the map to determine what else there is to see. The map will focus their interest, and what they will see in addition to cities and highways will be significant natural features, that by their stature are identified and stand out on every single map printed. To the south of Vancouver, B.C. these include the North Cascades Wilderness Area, Olympic National Park, Mt. Rainier National Park, the newly formed Mt. St. Helens National Monument, Hells Canyon

DIVISIONS OF ALASKA TOUR AND MARKETING SERVICES INC
FEATURING HOLIDAYS AND CRUISES OF ALASKA CANADA THE PACIFIC NORTHWEST CALIFORNIA MEXICO PANAMA AND TAHITI

National Recreation Area and Crater Lake National Park to name a few. These areas and others are the competition for Vancouver and the communities of Southwest Washington. The map brings awareness to the consciousness of the people. Then, for instance, the interested party contacts Mt. Rainier National Park for information concerning the area including what to do, where to stay, where to eat, and all the other services needed including tours, rental cars, camping and trailering facilities, etc.. On the other hand, promotion alone is very expensive. The key is to get people to write for information about your area.

The single most significant step the business community could take to capitalize upon the Tourist Industry, and the millions of visitors who will attend the World's Fair, is to get the Columbia River Gorge National Scenic Area legislation passed at the earliest possible moment. My sense is the legislation will pass. There are 44 senators as co-sponsors at the present time. However, if it doesn't pass for another year or so, you will have missed the opportunity to bring the Columbia River Gorge and the adjoining area to the attention (awareness) of 30 million or more people who will be pouring over maps in 1985 and 1986. The fallout in succeeding years will be simply tremendous.

I understand there are at least five organizations that have a vested interest in the Tourist Industry:

1. the Business Roundtable;
2. the Tourist Regional Information Program (TRIP);
3. the Greater Vancouver Chamber of Commerce;
4. the Clark County Economic Development Council;
5. the Camas-Washougal Business Roundtable.

All five of these organizations should take strong positions in favor of S627. But that isn't enough. I understand that the City of Vancouver has already passed a resolution calling for the Federal Government to declare the Gorge a Scenic Area and to develop a partnership of local, state and national interest for the management of same under the guidance of the local Forest Service. The above organizations should strongly urge the Clark County Commissioners to take an active role. Additionally, the other communities should be urged to do likewise. Then the five organizations, the Clark County Commissioners, City of Vancouver, including their Economic Development office, and the other commmunities should become very strong advocates for the passage of National Scenic Area legislation. They should do everything possible to urge Senator Dan Evans, Senator Slade Gorton, Representative Don Bonker and Representative Sid Morrison to get this legislation passed at the earliest possible moment. Millions of dollars of free AWARENESS advertising is available to Southwest Washington if this legislation is passed soon, so that the map makers can get it printed on the new maps and distributed throughout the entire world. You simply must not let this opportunity slip through your grasp!

In my talk I spoke of the need of the infrastructure to support the Tourist industry. You have much of the infrastructure in place. However, people do not come to visit water and sewer systems. I noticed the Columbian speaks of all the hiking potential in the Gorge. Yet, on the Washington side of the Gorge, there are only 8 miles of publically owned and maintained hiking trails. There are over 200 miles on the Oregon side. There are only four State parks and only two or three places to launch a boat on the Washington side of the river within the Gorge. There are 23 parks on the Oregon side, including numerous boat launching facilities. Except for the magnificent views from Cape Horn and the top of Beacon Rock, the public is not in touch with the river on the Washington side in the western end of the Gorge. In contrast, they have endless contact along the entire length of the Columbia River Gorge on the Oregon side.

The only feasible way to rectify that situation is through passage of S627. Then over the years, when people decide to sell their land, it can be acquired by the local Forest Service for the above purposes. Public access to the river can be developed. Boat launching facilities can be provided. A network of trails linking newly formed parks along the Washington side of the river would be accomplished. But overall will be the establishment of interpretive centers, such as is being developed for Mt. St. Helens National Monument. An interpretive center is not simply a visitor's information center. It is much more. This is beyond the ability of the local tourist groups, or even the local government or county government to establish or maintain. Yet, it is the interpretive centers that are so important in providing information to the tourist which allow them to remain in the area. Tourists are already passing through your area by the millions, and there is no system to slow them down. This is crucial. Coupled with the interpretive centers would be the signing by the local Forest Service, which is recognized by all as denoting important places of interest.

As these facilities develop, the tourist industry will respond with hotels, motels, restaurants, car rentals, boat rentals, sightseeing tours, boat tours, backpacking trips, windsurfing facilities, and the list goes on and on. In the process of the expanded infrastructure coming about with passage of S627, the construction industry, the bakeries, the groceries, the CPA's, the attorney's, insurance firms and every other branch of business and commerce will respond. Then the revenues to local, state and federal governments will build and expand. However, you will not have to provide schools, police force, hospitals, etc. for a greatly expanded group of citizens. Tourists go home and provide their own facilities with their own taxes. All they leave behind is money.

When I mentioned the absence of river access within the Gorge, I'm including the severe limitations we face on our own cruise vessels. The only facility within the Gorge on either side of the river that allow us to moor and load or discharge our passengers to participate in the activities within the area, including the spending of their money, is the

Mr. David L. Cannard
July 16, 1984
Page Four

antiquidated dock at The Dalles. I'm certain that with the passage of S627, access would follow as the communities within the Gorge address the needs of the rapidly expanding tourist industry.

Passage of the National Scenic Area Legislation (S627) should occur in 1984 to make the presses that print the maps. It should occur in the earliest portion of 1985, at the very latest, to capitalize on the Vancouver, B.C. World's Fair. It is up to the business community to make it happen. They are the economic winners in this effort. Those who have conceived, promoted and supported the National Scenic Area designation, for the most part, are concerned with the pristine beauties of the area. But the business community of Southwest Washington is the group that stands to gain the most economically from this effort.

Other industries such as the high tech industry, manufacturing industries, etc., may wonder how this affects them. In the first place, it tends to reduce the demand for taxes upon those industries. Additionally, the growth and expansion of Southwest Washington as a community will be enhanced, because those industries as well as the construction industry, banking industry and others will come to recognize that people move into an area not to live next to a plant or an industry site, but are attracted by the livability. People who are concerned about the livability and quality of life tend to be superior employees. And for industry to have at their doorstep the National Scenic Area for their employees to use as their recreation area, is a tremendously strong drawing card when they go out to find the employee they want for their firm.

Thank you for the opportunity to respond, and know how excited we are to be a part of the commercial community along the Columbia River.

Sincerely,

EXPLORATION HOLIDAYS AND CRUISES

ROBERT GIERSDORF
President

RG/dmm/0149E

FRIENDS OF THE COLUMBIA GORGE

113 West First
Vancouver, WA 98660

November 15, 1984

COLUMBIA RIVER GORGE HEARING, NOVEMBER 8, 1984
SENATE COMMITTEE ON ENERGY & NATURAL RESOURCES

Senator Dan Evans
702 Hart Senate Office Bldg.
Washington, D.C. 20510

Dear Senator Evans:

I want to thank you for holding an excellent hearing on the Columbia River Gorge in Stevenson on November 8, 1984. I request that this letter be made a part of that hearing record.

The purpose of this letter is to summarize Friends of the Columbia Gorge's position regarding a persistent line of testimony at the hearing: why interlocal agreements among the Gorge counties requiring scenic overlay zones will not protect the Gorge. Our position is based upon four points.

First, local overlay zoning cannot regulate federal, and most state, activities. These activities have consistently negatively affected critical open space lands in the Gorge. In the last year, for instance, both Washington and Oregon have attempted to divest themselves of state park lands. Moreover, Oregon wanted to locate a multi-million dollar Port of Entry on open space lands adjacent to a state park and a Forest Service campground. The federal government has attempted to divest itself of Gorge lands which provided habitat for threatened plant species, and is presently considering prime habitat lands for the dumping of dredge spoils from the anticipated new locks at Bonneville Dam.

Second, local governments do not have the funds, skills or resources to manage their own lands in a coordinated fashion which would ensure protection for the Gorge. The Gorge, quite simply, with its two states, six counties and over 50 different management jurisdictions is too large and diverse for local governments to adequately manage. It is important to remember, also, that the federal government is the largest landowner in the Gorge, claiming approximately 20% of its lands, while the states own an additional 10%.

Third, enforcement of the overlay zones would be subject to the whims of local elections and pressures from well-financed, well-organized and sophisticated land development interests. If one or two new county commissioners were elected to a Gorge county and did not strongly believe in the necessity of strong land use regulation, protection for the entire Gorge would be jeopardized.

While the Forest Service is not immune from the changes mandated by national elections and pressures from development interests, certainly it is less susceptible than a county planning agency with a single employee.

Presently, two examples exist within the Gorge which indicate that overlay zones are encountering severe problems. In Klickitat County, at Burdoin Mountain, the county commissioners recently approved a series of short plats within the scenic overlay zone, despite the objections of their county planner. Moreover, these short plats were approved even though two county commissioners recognized during an official hearing that roads andother actions were completed before county approval of the short plats, in apparent contravention of Washington State subdivision laws, and even though the county engineer declared, according to the minutes of the hearing: "while the survey for the short-plat does not comply with present state law he would sign off on the plat," if that were the commissioners' desire. The Columbia Gorge Coalition has filed a lawsuit to set aside the approval of these short plats.

In Hood River County, after pressure from the timber industry, the Oregon Attorney General has issued an opinion declaring Hood River's Gorge overlay zone illegal insofar as it relates to lands used primarily for forestry purposes. We therefore have the unusual situation in the Columbia Gorge where one overlay zone has been declared illegal by a state Attorney General, and one overlay zone is apparently, pending the outcome of a lawsuit, not being upheld by the local county commissioners.

Fourth, in Skamania County there has been no indication that the county commissioners even want to join an interlocal agreement which would establish scenic overlay zones with the other Gorge counties. On February 10, 1983, Skamania County Commissioner William Benson proclaimed, in his testimony to Senator Packwood's Commerce Committee hearing on the Gorge that:

> "Skamania County, in conjunction with Klickitat and Clark Counties, has signed an interlocal agreement to develop a plan and guidelines for the Washington side of the Gorge."

After Senator Packwood's hearing concluded, Skamania County withdrew from the agreement. Since that hearing, Skamania County has made little progress toward the drafting of a zoning ordinance.

Forgive my skepticism, but I have serious reservations about Skamania County's willingness to implement a zoning ordinance, once enacted. It is my impression that the County wants a zoning ordinance primarily to ward off federal legislation, not because the County recognizes the need to regulate land use.

Certainly past history justifies skepticism. In 1982, the Friends was forced to organize a successful lawsuit against a developer in the County who had illegally short platted his land into a 24 lot subdivision, with full and unanimous approval of the Skamania County Commissioners. If the commissioners refuse to enforce Washington State subdivision laws, what is the assurance that they will enforce their own zoning ordinance?

Senator Evans, philosophically I prefer "local control" over "federal control." In an area as large, as complex, and as important from a national standpoint as the Columbia River Gorge, however, only administration by an agency like the U.S. Forest Service, with its tremendous resources, skills and experience, can provide the leadership to protect the Gorge. While local governments, with their zoning ordinances, must play an integral role in this protection, their actions alone are insufficient to guard this magnificent resource from further degradation.

Sincerely,

David Cannard

David Cannard
Co-Chairman

DC/pag

cc: Washington delegation
Oregon delegation
Governor-elect Gardner
Governor Spellman
Governor Atiyeh
Tony Bevinetto

FRIENDS OF THE COLUMBIA GORGE

113 W. First St.
Vancouver, Washington 98660

November 21, 1984

Senator Dan Evans
711 Hart Senate Office Bldg.
Washington, D.C. 20510

Dear Senator Evans:

I would like the following information made part of the testimony of the above referenced committee you chaired on November 9th, 1984. During the hearing and in particularly during the Friends of the Columbia Gorge presentation, you asked a question or two of myself which I would like to either reaffirm or expand upon in the light of that discussion. One of the questions asked as I recall was, "What happens if the Forest Service doesn't have the money to purchase under condemnation?" The answer to that was basically correct and one which I will repeat here. Upon the taking of a piece of property under eminent domain (condemnation) the Forest Service has to be able to deposit the money with the court. If it does not have the money to deposit with the court, then the property owner is free to do whatever the land use law allows. It is incumbent upon the federal entity to have the money available in order to utilize eminent domain.

We found evidence in the Sawtooth Recreational Area that in circumstances in which the Forest Service did not have the immediate appropriations available, the Trust for Public Land had purchased land from the individual who desired to sell and they held it until such time as appropriations were available, which gave flexibility to the process. We also discovered that on occasion the Trust for Public Land had entered into a bargain purchasing gift of the development rights of the piece of property which meant that the individual received part cash made party charitable donation to the Trust for Public Land. Apparently, tax wise the individual came off as well as or better than had they sold their entire interest directly to the U.S. Forest Service.

A question was asked to whether the Federal Government can accept gifts of land. My response was approaching the question from the point of view of the Packwood/Hatfield legislation (S.627). In that process I left out one significant bit of information. Through our fact finding, research and discussion process, the Friends of the Columbia Gorge came to the conclusion that the U.S. Forest Service was the best agency for management of the Columbia River Gorge under a Comprehensive Management Plan. In order for the U.S. Forest Service to be the managing agency, one needed to create a Forest Service district with boundaries. In the Packwood legislation this is accomplished by moving the boundaries of the Mt. Hood National Forest and the Gifford Pinchot National Forest down to the Columbia River. Then a separate management district is to be created consisting of the Columbia River Gorge which straddles the river. Thus, there would be one management unit, however, there would actually be portions of the two National Forests. The bit of information I left out in my response was that the Forest Service, by common law, is given the power to acquire lands within their boundaries. They are given the power to acquire land by any means, including gift, bequest, purchases in the easements, purchase development rights, and every other right up to and including the right of eminent domain. It goes with the territory that exists within the Forest Service boundaries and under the jurisdiction of the U.S. Forest Service. The next step that was taken was the Packwood legislation specifically limits the right of eminent domain to an area not to exceed 10% of the entire area. All other rights extend throughout the entire Gorge. Thus, the U.S. Forest Service could accept gifts, could trade lands, etc. But the power of eminent domain was limited to 10% of the total area within the Gorge.

I should comment that on our recent trip to the Sawtooth Recreation Area, we were most surprised to find that of the 15 or 16 people that had studied our legislation, they all questioned if that limit on the right of eminent domain was such a good idea. The reasoning had to do with the fact that if you want my property or to control the use of my property, then the U.S. Forest Service should pay for it and not try to legislate it for no use. Additionally, apparently there are certain tax advantages if the property is acquired under the right of eminent domain or threat of eminent domain. These tax advantages are not available if it is simply a sale between a willing buyer and a willing seller. Consequently, much creative use is made of the right of eminent domain that is tax dominated.

As I recall, another question was, "Are land trades with the Federal Government possible through a bi-state commission within the Gorge?" Our legal council has not researched this definitively but suspects it might be possible in some cases. The overriding rule that is present governing federal entities is, one has to look to what the advantage it is to the federal entity to affect the trade. BLM land often trade lands with the State of Oregon or the State of Washington, but it is instigated by another body the federal agency has to determine there is a definite benefit to the federal agency to make the trade, otherwise the federal agency is not free to do it. The fact the federal agency would be no worse off probably isn't reason enough to effect the trade itself. And if in fact the BLM ended up with lands in the Gorge, one has to ask how that furthers the provisions of Gorge legislation. How can it enhance the management of the Gorge? Further investigation indicates that it is almost impossible for the Forest Service to trade lands from within the boundaries of the Forest Service for properties outside the boundaries of the Forest Service. That is the purpose of having boundaries. So the best one can look forward to probably is the ability to have limited trades with the BLM or perhaps the Fish and Wildlife Service. Our legal council also through that drafting and execution would be very difficult and virtually impossible in the real world to administer.

For all of the above reasons Friends of the Columbia Gorge, with the aid of our legal council, who has had wide experience as an employee of the Department of Interior in Washington, D.C. prior to entering private practice, came to the conclusion that having a comprehensive management plan developed and administered with the advise and consent of the regional commission, was the direction to go because it solved all of these inherent problems.

It made available all of the federal lands in Oregon and Washington as a land bank as possible trading for lands within the Gorge. It made available the budgetary experience and expertise of the U.S. Forest Service and perhaps made available more readily Land and Water Conservation funds that might be available through a regional commission. It made a federal consistency clause possible whereas with a regional commission or a bi-state approach, our legal council pointed out that the federal government never gives up their sovereignty to a commission unless the commission is fully staffed with officers of the Federal Government, a highly unlikely prospect. Additionally, the Gorge management unit would be managed very similar to the Gorge management unit that exists on the south side of the Columbia River at the present time.

In questioning others, you asked if there were any areas similar to the Columbia River Gorge that have been managed by the U.S. Forest Service. In conjunction with the above comment, I would suggest that the U.S. Forest Service land that exists on the south side of the river comprise such a unit. They have been in operation for about seven decades and have been well received by the citizens in the area. I am enclosing a letter from Commissioner Rodger Schock who has been the Commissioner for many years in Hood River County, and who reflects on the relationship between the citizens of Hood River County and with the U.S. Forest Service. It has been a very sensitive management on the part of the U.S. Forest Service that has fostered this good will. The Friends of the Columbia Gorge have every reason to feel that this sensitivity to accommodation of the pristine land and an urban area would continue.

You had expressed concern over the fact that there was a backlog of funding requirements for land acquisition and how would the Columbia River Gorge fit into that scenario. My response to that question would be that the Columbia River Gorge National Scenic Area would be one of many priorities for funding and undoubtedly would be recipient of perhaps not all of the funding they would like immediately, but at least the process would be started and even more importantly, the structure would be put into place to develop a comprehensive management plan which is placed in the hands of an impartial arbitor who has many tools as well as a great deal of experience available. I would point out that this year, although there is a backlog of funding needs for land acquisition, Congress earmarked $10 million dollars for expenditures within the Columbia River Gorge. Conversely, there is absolutely no chance of funding from the local or state levels, and of course and overriding factor is that the citizens of the entire United States have an obligation to participate in compensating the local people for their property value should they decide to sell. It is not the responsibility of one county or one state.

Thank you very much for your consideration and if you desire any additional information, do not hesitate to get a hold of me.

Cordially,

Dave Cannard, Co-Chairman
Friends of the Columbia Gorge

cc: Tony Bevenito
Bowen Blair

Working Paper

Enhancement of Tourism
in The
Columbia River Gorge

Prepared for:
Friends of The Columbia Gorge

August 1982

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Table of Contents

Page

A. Introduction 1

B. Current Status of Tourism 2

C. Enhancement of Tourism 8

Interviews 15

Reference Materials 16

A. Introduction

Tourism is a long standing element of the economy in The Columbia River Gorge, along with forestry and agriculture. The area has a wealth of natural resources on which each of these industries depends. Enhancement of tourism through carefully planned and coordinated efforts can add to the local economy and capitalize on programs and trends toward tourism, which are underway in both Washington and Oregon.

This Working Paper was prepared at the request of the Friends of The Columbia Gorge. Its objective is to focus discussion on the existing attractions, data and opportunities for tourism currently in The Gorge, and to raise ideas about how tourism can be expanded to further contribute to the local economy, while minimizing the impact on the splendor of The Gorge.

Already there is significant tourism occuring on both sides of The Gorge. Much is attributable to day visitors who enjoy the scenery, the attractions, the services and then travel on. Some tourists stay overnight or longer, and this pattern must be fostered. The Gorge has a tremendous offering of attractions. A sample include scenic beauty (The Gorge from Crown Point and Multnomah Falls), educational activities (Bonneville Visitor Center and Fish Hatchery), cultural attractions (Maryhill Museum), agriculture (wineries), and outdoor activities (skiing at Mt. Hood, hiking, rock climbing, fishing). This diversity must be presented in such a fashion as to not appear diffuse, but rather as a cohesive package from which parts can be targeted to specific tourist markets.

Both Washington and Oregon recognize the importance of tourism to their respective state economies. Washington has launched a 4.5 million dollar program. By 1985 tourism is projected to generate 4.75 billion dollars in gross business income in Washington, and 235 million dollars in direct state and local tax revenues. The recent Economic Recovery Council, assembled by the Governor of Oregon, predicted tourism to be the number one industry in this state by the year 2000. In 1981 approximately 65,000 jobs statewide in Oregon and 10,000 businesses were attributable to tourism.

New projects in The Gorge also invite the economic benefits of tourism. On the Washington side a second Visitor Center is opening at Bonneville Dam and a developer is proposing a 250 room convention center/resort center in North Bonneville. In Oregon, The Columbia Gorge Hotel has reopened and a sternwheeler is being constructed which will operate on the river out of The Port of Cascade Locks. A cooperative effort in The Gorge can capitalize on these initiatives, and in a timely fashion package, promote and enhance tourism in the area.

B. Current Status of Tourism

In the context of this Working Paper, The Columbia River Gorge is considered to include three counties in Washington (Clark, Klickitat and Skamania) and four in the State of Oregon (Hood River, Multnomah, Sherman and Wasco). The general demographics in this area include a median age of about 31 years and an unemployment rate which ranges from 9.8 to 22.9 percent (Table 1).

In 1977 the impact of travel was noticeable in The Columbia Gorge (Table 2). As would be expected, Multnomah and Clark Counties, the more urbanized jurisdictions, generated the greatest percentages of travel related benefits of the seven jurisdictions in The Gorge. However, payroll, employment and tax receipts are important in all areas.

Traffic along Interstate 84 has been estimated in recent years to be between 2 and 3 million vehicles annually. Many of these vehicles already stop at attractions in The Columbia River Gorge. Some operators of facilities caution that figures for 1980 may be lower than would be normal due to the eruption of Mt. St. Helens, which is thought to have deterred tourists.

Several tables demonstrate the strength of visitation in The Gorge. Over a four year period, day visitor attendance at state parks climbed as much as 69.4 percent (Table 3). And though some parks registered a decline, the majority showed significant increases. Numbers of visitors at Multnomah Falls and the Bonneville Dam facilities increased from 1977 to 1981 by 654,200 and 1,070,600 visitors respectively (Table 4). Perhaps the most important fact of the total attendance at each of these is that over 2 million people in 1981 were in The Gorge and interested in visiting an attraction. This figure represents a great existing market. Also, these visitors stopped despite the lack of aids such as signs on I-84 which would indicate that there is an extensive Visitor Center and fish ladder at Bonneville Dam.

Other attractions also draw tourists in The Columbia Gorge. In 1976 the Maryhill Museum had 77,900 visitors, the Cascade Locks Boat Tour 10,000 and The Dalles Dam Train Tour 40,000 visitors (Table 5). By 1981 the boat was carrying 30,000 passengers. It should be noted that these visitors stopped even though there is no staffed visitors' information center on I-84 at either end of The Gorge, but only an illustrated kiosk at Multnomah Falls.

Visitors are coming to The Gorge and either are finding their own way to attractions, or are taking advantage of the numerous brochures on specific sights that have been produced and are distributed by many local organizations. However, there

Table 1

Demographics
Counties of The Columbia River Gorge

County	1981 Total Population	1981 Median Age	1981 Median Household Effective Buying Income	June 1982 Unemployment Rate*
Oregon				
Hood River	16.3	31.3	$18,295	18.1%
Multnomah	565.8	31.7	19,568	9.8%
Sherman	2.2	32.8	15,708	
Wasco	22.2	32.6	19,447	13.3%
Washington				
Clark	201.8	29.4	22,999	11.9%
Klickitat	16.5	31.0	22,701	21.0%
Skamania	8.4	30.5	25,718	22.9%

Source: Sales, Marketing Management, 1982 Survey of Buying Power; Employment Division, State of Oregon; Labor Area Summary, Washington Department of Employment Security.

Multnomah includes Clark, Washington and Clackamas Counties and Sherman and Wasco are combined.

Table 2

1977 Impact of Travel
Counties of the Columbia River Gorge

Area	Total Travel Expenditures (000)	Travel Generated Payroll (000)	Travel Generated Employment (Jobs)	State Tax Receipts (000)	Local Tax Receipts (000)
Oregon	$1,366,069	$360,341	58,100	$25,100	$ 4,342
Hood River	13,985	3,091	526	213	37
Multnomah	456,259	123,767	15,563	8,133	1,491
Sherman	5,156	1,365	272	103	16
Wasco	7,000	1,589	295	125	19
Washington	$1,801,000	$474,400	69,960	$79,300	$12,970
Clark	41,821	10,998	1,888	2,180	281
Klickitat	2,273	566	96	115	15
Skamania	1,052	261	45	55	7

Source: U.S. Travel Data Center, The Economic Impact of Travel on Pacific Northwest Counties, July, 1979.

Table 3

Day Visitor Attendance*
Selected State Parks
Columbia River Gorge

Park	Time Period**		Change	
	1976-77	1980-81	Number	Percent
Oregon				
Benson	181,860	211,822	29,262	16.5
Crown Point	734,266	943,648	209,382	28.5
Dabney	315,916	322,590	6,674	2.1
Guy W. Talbot	270,256	191,200	-79,056	-29.2
Koberg Beach	229,709	376,308	146,599	63.8
Lewis and Clark	336,539	545,706	209,167	62.1
Mayer	66,520	75,278	8,758	13.1
Rooster Rock	353,454	540,226	186,772	52.8
Starvation Creek	557,020	943,692	386,672	69.4
Viento	86,608	37,020	-49,588	-57.2
	1976	1980		
Washington				
Beacon Rock	296,085	321,756	25,671	8.7
Maryhill	238,256	155,959	-82,297	-34.5

Source: State Parks and Recreation Division, Oregon Department of Transportation and Washington State Park and Recreation Commission.

* Does not include overnight visitors.

** Fiscal year July 1-June 30 for Oregon; calendar year January 1-December 31 for Washington.

Table 4

Visitors
Selected Federal Areas
Columbia River Gorge

Area	1977	1978	1979	1980	1981
Multnomah Falls All Activities	1,391,400	1,148,100	1,297,300	1,201,000	2,045,600
Bonneville Dam Vistor Center and Fish Hatchery	1,055,800	1,556,400	1,896,400	2,025,200	2,126,400

Source: Supervisor's Office, Mt. Hood National Forest; Portland District, Army Corps of Engineers.

Table 5

1976 Attendance at Selected Attractions In The Columbia River Gorge

	Visitors (000)	Est. Hours Stayed
State Parks - Overnight Use		
Oregon	52.2	
Washington	34.8	
	87.0	3 nights
State Parks - Day Use		
Oregon	2,908.8	
Washington	596.0	
	3,504.8	3
Other Attractions		
Bonneville Dam		
Bradford Island	587.7	1-2
Other (at dam)	96.4	-
Cascade Locks		
Marine Park, Museum	332.6	
Multnomah Falls	1,983.9	1
Celilo Park	103.0	1-2
National Forests		
Mount Hood - Columbia Gorge District	973.8	-
Gifford Pinchot - Wind River Dist.	179.8	-
Commercial Attractions		
Maryhill Museum	77.9	1-2
Cascade Locks Boat Tour	10.0	2
The Dalles Dam - Train Tour	40.0	1

Source: ArchiSystems, Resort Development Potential in the Mid-Columbia Gorge.

appears to be no single brochure, or opportunity to be told about The Gorge and its attractions, in a unified and directed fashion. Perhaps then some potential visitors are not stopping.

Each year the Travel Information Section of the Oregon Department of Transportation produces reports concerning the profile of visitors to the state. One survey includes visitors who are traveling on the highways. In 1981, those contacted along I-84 estimated their average party expenditure to be 290 dollars (Table 6). An equal percentage of these planned to stay in campgrounds (33%) as in hotel/motels (32%). Their average length of stay was 6.8 days. Of all the visitors questioned, 64% named the Oregon coast as a place which they visited and 47%, or the second highest number, mentioned the Portland/Gorge area.

Another publication prepared by the state documents the responses of people who replied to state advertising in magazines and travel shows (Table 7). These respondents appeared to have a higher average per party expenditure ($616, $645) than those visitors contacted on I-84. Preferences for lodging were hotel/motels (38%, 21%) and campgrounds (15%, 34%). The length of stay was 8.8 days for magazine respondents and 8.5 days for those at travel shows. These respondents chose the Portland/Gorge area as second to the Oregon coast in terms of where most of their time was spent.

The survey data should not be taken literally. For example, the fact that individuals are interviewed on I-84 does not mean that their destination is The Columbia Gorge. Rather they may be in transit to another area. However, the surveys do give an indication of the economic potential of tourism and the preferences of tourists, on which The Gorge can capitalize.

Attractions and activities of interest which were documented by the state and in a study contracted for Washington, Oregon and Idaho, are compatible with those available in The Gorge. In addition to sightseeing and shopping/dining, respondents to the Oregon advertising program noted an interest in national/state parks, historic places/museums, scientific/natural history, fishing and hiking/backpacking (Table 7). In a study of The Pacific Northwest, similar preferences were indicated (Table 8). Hence, The Gorge provides the vacation opportunities which many visitors come to The Pacific Northwest to see.

C. Enhancement of Tourism

The Gorge provides such a range of attractions and activities that many may be missed by the undirected potential or actual visitor. Initially The Gorge needs a universal identity. Those who have driven through can appreciate its scale and beauty, but someone from outside the immediate area of

Table 6

1981 Oregon Profile
Visitors on Highways

Findings	I-84	I-5	US-97	US-101
	Route of Travel When Interviewed			
Average party size	2.8	2.9	3.0	3.1
Average length of stay	6.8 days	7.6 days	7.0 days	6.3 days
Visiting state parks	54%	62%	59%	76%
Avg. per party expenditure	$290	$283	$352	$330
Predominant lodging				
Campgrounds	33%	33%	37%	52%
Hotel/motel	32%	34%	33%	33%
Home of visitors				
California		38%	43%	32%
Mid-West	35%	12%		
Washington			24%	19%
Other W States	16%			

Source: Travel Information Section, Oregon Department of Transportation, 1981 Tourist Interview Survey.

Note: 64% of visitors named the Oregon coast (US-101) as an area visited during their stay and 47%, the second highest number, mentioned the Portland/Columbia Gorge region (I-84).

Table 7

1981 Oregon Profile
Advertising Respondents

Findings	Respondents Magazine	 Travel Show
Oregon as main destination	66%	52%
Average party size	2.7	2.7
Average length of stay	8.8 days	8.5 days
Where most of time spent		
Coast	38%	34%
Portland and Gorge	24%	21%
Avg. per party expenditure	$616	$645
Means of Travel		
Automobile	85%	95%
Air	12%	5%
Bus	1%	--
Train	2%	--
Lodging		
Campgrounds	15%	34%.
Hotel/motel	38%	21%
Friends and relatives	12%	8%
Combination	35%	38%
Attractions and activities of interest		
Sightseeing	69%	73%
Shopping/dining	57%	48%
National/state parks	53%	53%
Historic places/museums	48%	46%
Scientific/natural history	33%	29%
Fishing	17%	48%
Hiking/backpacking	17%	15%
Arts/theatre	12%	3%
Fairs/festivals/rodeos	10%	11%
Resorts/guest ranches	8%	7%
Whitewater/river rafting	8%	11%
Rockhounding	8%	6%
Wine tours	7%	7%
Golf/tennis	7%	5%
Other water sports	5%	5%
Skiing	2%	1%
Motor coach tours	2%	2%
Horseback riding	2%	2%

Source: Travel Information Section, Oregon Department of Transportation, 1981 Travel Advertising Study.

Table 8

Activity Preferences
in
Washington, Oregon, Idaho

Activity	Travel Agent Perspective	Consumer/Visitor Perspective
City Sightseeing	76%	61%
Skiing and other winter sports	34%	11%
Staying with friends/relatives	--	17%
Fishing	25%	26%
Museum Visits	--	13%
"Seeing area on own"	25%	--
Dining in quality restaurants	--	17%
Sunbathing/swimming/beachcombing	21%	33%
Rafting/cruising/boating/sailing	--	15%
Hiking/backpacking/camping out/ mountain climbing	21%	45%
Visiting historic sites	20%	14%

Source: GMA Research Corporation, Pacific Northwest Regional Commission Brochure Conversion Study, February, 1980.

Washington and Oregon very likely does not have any image of The Columbia River Gorge, much less one that includes its size and splendor. Such potential visitors are even less likely to have a sense of all the activities that also are possible in The Gorge.

Hence it is important to create a definition for The Gorge which will entice visitors to come. The Gorge needs an identity, an identifable image such that when the area is mentioned, it has some immediate recognition. In addition to this overall identification, both the subtle and more obvious attractions should be highlighted in a way that directs the traveler to the specific activities of their liking, among all that are available.

One way to create an identity for The Columbia River Gorge is a national designation. A federal designation indicates to the unfamiliar travel agent or tourist that a place is important and worth seeing. In effect the designation provides credibility. Moreover, maps, tour books and brochures, both publicly and privately produced, give special attention and allow more extensive descriptions, for areas designated as having national significance. In this vein, the National Scenic Area designation, which is being discussed for The Gorge, could provide major benefits for tourism.

If the visitor comes to The Gorge either from a great distance or from adjacent states, they may be unaware of the subtle as well as more obvious activities in The Gorge. A unique restaurant in The Dalles, a special bookstore in Hood River, a bed and breakfast opportunity in White Salmon, Sunday breakfast farm style in Hood River, hiking, cross country skiing and fishing, all may be unknown to the visitor. These more local attractions in addition to the better known facilities are great tourism resources in The Gorge.

Hence in addition to a special identity, The Gorge needs promotion which in a cooperative fashion highlights the many attractions on both sides of the river, and instructs the visitor as to how they can be enjoyed. Some efforts toward unified promotion are underway through the Mid-Columbia Economic Development District and through the Department of Tourism of The State of Washington. The MCEDD recently signed a contract for a study of tourism and industrial development and on a bi-state basis. A promotion brochure also is being produced. Washington has divided the state into tourism regions. Clark and Skamania Counties are in one (7) and Klickitat in another (3). These regions will be developing local programs within the context of a statewide effort, which focuses on Washington The State (as opposed to D.C.). One ad under this program features a picture of The Gorge with the caption, "Washington's District of The Columbia."

The economic benefits of tourism in terms of dollars and jobs generated can be approximated by generally used rules of thumb. These multipliers indicate an order of magnitude of the impact of tourism. For example, one dollar spent in tourism is thought to circulate seven times before leaving the local community. A more optomistic multiplier is fifteen times. For every 25,000-35,000 dollars spent in tourism, one job is thought to be created. Perhaps equally important is the growth generated in a community as a result of tourism. This can be growth in numbers of jobs, in revenues generated in retail and wholesale sales, and in new business formation.

In order to maximize the benefits of tourisn, the visitor must stay overnight or longer. The day excursion tourist may purchase items such as gas and a meal, or pay an admission fee. The longer term visitor may purchase these as well as lodging and more diverse and basic retail items. Hence, the objective should be to get The Gorge tourist to stop and stay and experience a number of attractions over time.

In light of the variety of opportunities in The Gorge, packaging of activities is essential. The tourist needs direction about not only what to see, but how to visit one spot in relation to another. A trip by river boat, a tour bus or by car with an illustrated map are important to facilitate a visit. Opportunities which are packaged can help to keep the tourist in the area overnight. Sighseeing, educational activities or recreational events can be packaged on one day with accommodations, and then different continuing activities the subsequent day. Such packages are available now and more are essential to foster.

Special events can also enhance the level of tourism in The Gorge. Already many are underway such as the Huckleberry Festival in White Salmon. Additional attractions which draw on the talents of the community, as well as events brought in from Portland or other outside areas, could be tried.

The number of tourists who will visit The Gorge is dependent on numerous factors. Changes in the economy and subsequently discretionary income, and changes in the price of gasoline and therefore preferences for distance traveled for a vacation are two obvious factors. Efforts made within The Gorge to promote the area, and its designation as a National Scenic Area also will have an effect.

In summary, The Columbia River Gorge already has a significant level of tourism. To enhance this can contribute more jobs and revenues to the local economy. In order to attract more tourism The Gorge must first have a distinct image in order to catch the attention of those who have not yet experienced it. In addition, the activities in The Gorge must be packaged so that the visitor will understand what is available to experience and how this can be done. With a heightened awareness of The Gorge and its attractions, destination visits may be increased. Finally, The Gorge should be promoted as an entity and through cooperative, bi-state efforts.

As the attached list of interviews and reference materials indicate, a great deal of thought and research has been committed to the subject of tourism in The Columbia River Gorge. The results of a study being undertaken by the state of Washington with reference to Mt. St. Helens and one by the Mid-Columbia Economic Development District, will add to this data.

This Working Paper serves as a point of reference for many of the ideas which have been developed to date. Hopefully discussion of ways to enhance tourism can be framed from the materials provided herein.

Interviews

Glen Bridges, Manager, Columbia Gorge Hotel, Hood River.

Russell Brink, Manager, Port of Cascade Locks, Cascade Locks.

Harold Buck, Manager, Multnomah Falls Lodge, Bridal Veil.

James M. Burke, Pacific Economica, Salem.

William Chisholm, General Manager, Gray Line, Portland.

Roger Corwin, Assistant Manager, Hood River Inn, Hood River.

Shirley A. Eads, State Travel Director, Travel Information Section, Department of Transportation, State of Oregon, Salem.

Harvey Freer, Curator, Maryhill Museum, Goldendale.

L. E. George, State Highway Traffic Engineer, Department of Transportation, State of Oregon, Salem (by telephone).

Eric D. Hovee, Economic Development Manager, City of Vancouver, Vancouver.

Eleanor Karlson, Resident, White Salmon.

Thomas F. Kennedy, Director of Tourism, Greater Portland Convention and Visitors Association, Inc., Portland.

Clyde N. Kirby, Retail Manager, The Fruit Tree, Hood River.

Richard Plainfield, Developer, Proposed North Bonneville Resort and Convention Center, Portland (by telephone).

Joyce Smith, Assistant Manager, Inn of the White Salmon, White Salmon.

William Taylor, Assistant Director, Tourism Development Division, Department of Commerce and Economic Development, State of Washington, Olympia.

Allan Warman, Director, Mid-Columbia Economic Development District, The Dalles.

Kurt Wehbring, David M. Dornbusch and Company, Inc., Portland.

William Wiley, Manager, Visitors Center, Bonneville Dam, Cascade Locks.

Reference Materials

ArchiSystems, Resort Development Potential in The Mid-Columbia Gorge, no date.

ArchiSystems, Tourism Development Potential in The Mid-Columbia River Gorge, December 15, 1977.

Wilbur D. Conder, Economic Impact of Tourism, Recreation and Travel Traffic: Mid-Columbia E.D.D., September 1, 1971.

David M. Dornbusch and Company, Inc., Walker, Macy and Erickson and Bierly and Associates, Inc., Mount St. Helens Interpretation and Recreation Plan, August 1981.

Governor's Economic Recovery Council, Governor's Economic Recovery Council Report, June 1, 1982.

Governor's Select Committee on The Columbia River Gorge, Findings, Recommendations and Elements of a Management Alternative for The Columbia River Gorge, December 1981.

GMA Research Corporation, Pacific Northwest Regional Commission Brochure Conversion Study, February 1980.

Leonard Guss, Associates, Inc., Employment Displacement in Skamania County: An Economic Development Strategy for Skamania County, Washington, January 1980.

Jones and Jones, Columbia River Gorge Study, November 1981.

Morton I. Michelson, An Inventory and Analysis of Tourist and Recreation Facilities in The Mid-Columbia Economic Development District, 1971.

National Park Service, National Park Statistical Abstract, 1979.

Oregon Department of Transportation, Financial Planning and Economics Unit Policy and Planning Section, 1981 Out-of-State Travel Revenue Report.

Oregon Department of Transportation, Travel Information Section, 1981 Tourist Interview Survey.

Oregon Department of Transportation, Travel Information Section, 1981 Travel Advertising Study.

Pacific Economica, Inc. and CRS Group Engineers, Inc., Hood River County - An Analysis of Alternative Economic Futures, November 1981.

Pannell, Kerr, Forster, Trends in The Hotel Industry in the Pacific Northwest, 1981 Edition.

Sales Marketing Management, 1981 Survey of Buying Power, July 27, 1981.

Sales and Marketing Management, 1982 Survey of Buying Power, July 26, 1982.

U. S. Department of Commerce, Bureau of The Census, 1977 Census of Retail Trade, Oregon, June 1979.

U. S. Department of Commerce, Bureau of The Census, 1977 Census of Retail Trade, Washington, April 1979.

U. S. Department of Commerce, Bureau of The Census, 1980 Census of Population, Number of Inhabitants, Oregon, December 1981.

U. S. Department of Commerce, Bureau of The Census, Advance Reports, 1980 Census of Population and Housing, Washington.

U. S. Department of Commerce, Bureau of The Census, County Business Patterns 1979, Oregon, May 1981.

U. S. Department of Commerce, Bureau of The Census, County Business Patterns 1979, Washington, May 1981.

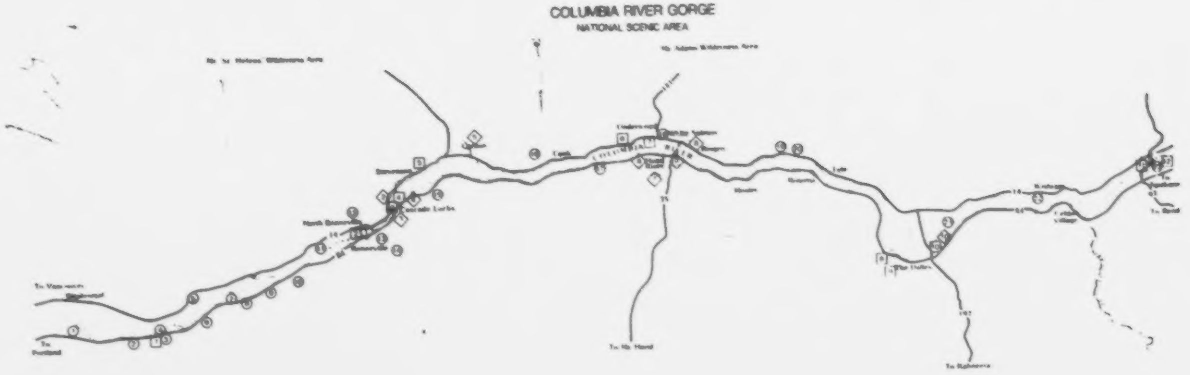
U. S. Department of Commerce, Economic Development Administration, Creating Economic Growth and Jobs Through Travel and Tourism, February 1981.

U. S. Department of The Interior, National Park Service, Columbia River Gorge, Study of Alternatives, April, 1980.

U. S. Travel Data Center, The Economic Impact of Travel on Pacific Northwest Counties, A Study Prepared for the Pacific Northwest Regional Commission, July 1979.

State of Washington, Department of Commerce and Economic Development, 1982 Tourism Program, Washington The State.

Kurt Wehbring and Vivian Kahn, Upper Snoqualmie River Basin Economic Base Study, November 1981.



○ NATURAL ATTRACTIONS

1 Lewis & Clark State Park
2 Pacific Forum Park
3 Crown Point
4 Rooster Rock Park
5 Cape Horn
6 Bridal Veil Falls
7 Benson State Park
8 Multnomah Falls
9 Horsetail Falls
10 St. Peters Dome
11 Beacon Rock State Park
12 Moffett Hot Springs
13 Eagle Creek Trail
14 Punch Bowl Falls
15 Pacific Crest Trail
16 Dog Mountain
17 Mitchell Point
18 White Salmon River Mouth
19 Prehistoric Rock Fences
20 Balch Cemetery
21 Horsethief Lake State Park
22 Indian Petroglyphs
23 Maryhill State Park

□ MANMADE ATTRACTIONS

1 Crown Point
2 Bonneville Dam
3 Bridge of the Gods
4 Cascade Locks
5 Skamania County Historical Museum
6 Broughton Log Flume
7 Spring Creek Fish Hatchery
8 Fort Dalles Surgeon Headquarters
9 St. Peter's Church
10 The Dalles Dam
11 Maryhill Museum
12 Stonehenge

◇ COMMERCIAL ATTRACTIONS

1 Columbia Sightseer Tours
2 Columbia River Tour Boat Rides
3 Scandia Motor Lodge
4 Charburger Restaurant & Museum
5 Carson Hot Springs
6 Hood River Golf
7 Mt. Hood/Bonneville Scenic Loop Drive
8 Inn of the White Salmon
9 Columbia Gorge Hotel
10 The Dalles Tour Train

Senator EVANS. Thank you. We'll wait until we get to our questions and answers, then we can do that. We'll attach the documents you have attached as part of the record except for the one that repeats a hearing of the Committee on Commerce, Science and Transportation, we'll make a reference to that, because that's already in the record.

With that, if I'd looked up instead of down at my list, I would have know Yvonne Montchalin. Yvonne, delighted to have you.

STATEMENT OF YVONNE MONTCHALIN, FRIENDS OF THE COLUMBIA GORGE

Ms. MONTCHALIN. Thank you for your patience and your stamina. I'm Yvonne Montchalin, and have been a resident of Skamania County for more than 30 years until recently, when I move into eastern Clark County near Washougal. I have retained my real property holdings in Skamania County. They are located across the Columbia River from Mulnomah Falls.

The sensitive beauty of the magnificent gorge of the Columbia River is under constant and repeated threat of being despoiled through ill-advised development, development occurring on all levels of government—local, State, and Federal.

There are more than 50 separate governmental agencies which have various degrees of responsibility for land use planning and the management of the lands lying on both shores of the Columbia River. No one of these agencies can presently furnish needed protection.

Recently, the 65-acre, proposed, 21-lot, Rizor sub-division was halted only by a suit filed by private citizens, of whom I was one. The development was approved by the Skamania County officials as short plats in direct violation of Washington State law. The suit was settled with the entering of a stipulated judgment in favor of plaintiffs. The Trust for Public Land, a nonprofit, San Francisco-based organization has since purchased the tract.

Another proposed development lies approximately miles west of Beacon Rock. The Yound Land Trust proposal consists of 83 lots to be located upon 78.5 acres of undeveloped wetlands and shoreline. The majority of the lots are to be served with septic tanks. This development has been approved by the Skamania County Planning Commission and the Skamania County Board of County Commissioners. Citizens have now appealed that approval to the Shoreline Hearing Board.

The State of Oregon last year attempted to sell Hood River's Ruthton Park to the highest bidder. The matter was resolved in an agreement reached between the State and Hood River County Commissioners.

Similarly, the State of Washington attempted to trade 40 acres of Beacon Rock State Park to the Department of Transportation, which department planned to sell the tract to the highest bidder. Interested citizens rallied in opposition to the action and it was withdrawn from consideration.

Federal policy has encouraged incompatible projects in some of the most pristine areas of the gorge. One example is a $5.5 million hydroelectric project which would effectively destroy two, 100-foot waterfalls in the Wyeth area of Hood River County.

The Army Corps of Engineers is looking at areas which are nesting grounds and wildlife habitat to use as primary sites for the dumping of spoils from excavations of the proposed new lock at Bonneville.

Also a cause of great concern is the urban growth in eastern Clark County and western Skamania County following the opening of the I-205 bridge, a growth which was predicted in the 1980 study of alternatives of the Park Service.

Much of the beauty of the Columbia River Gorge has been preserved by the alertness and zeal of private citizens who, at their own cost and risk—and I say that advisedly—their own cost and risk have sought to prevent untoward development in the gorge. But, how long can we expect this kind of sacrifice to continue on so many fronts?

The Federal Government is the only authority which can adequately protect this world-renowned wonder and our national treasure, the only authority which can correlate the actions of the more than 50 governmental agencies involved. I urge the passage of Federal legislation patterned after the Packwood-Hatfield bill.

Thank you.

Senator EVANS. Thank you, very much, Yvonne.

Next is Jim Canon.

STATEMENT OF JIM CANON, FRIENDS OF THE COLUMBIA GORGE

Mr. CANON. My name is Jim Canon. I live on an 183-acre farm in the shadow of Archer Mountain. When my wife and I and a few friends bought our farm in 1971 we paid the unheard of price of $500 an acre. Several weeks later the I-205 bridge was announced and the price of our land doubled, and today is at $3,000 an acre. This is a simple demonstration of the benefits that flowed from an investment by the Federal Government in a new bridge and the development pressures that followed.

Politically the county is ready for development. Our comprehensive land use plan is advisory only. There is no zoning to make it less flexible. The county commissioners, aided by the local power structure, and some brilliant local talent have maintained a raging attack on the gorge legislation before Congress, dressing the protection versus development issue in strange clothes indeed.

The issue, they claim, is Federal takeover versus local property rights. The log is a giant bulldozer pushing down 41,000 people's homes and jobs. The real fear is the charge that you can't trust the Feds, inflamed by the scare and horror of the Cuyahoga Valley Natioal Recreation Area as it was maliciously represented on PBS's Frontline program. They warn us that Cuyahoga is coming to the gorge. I include for quiet rebuttal in the record an article from the National Parks magazine. The virulent, anti-Fed rumors have fallen on willing ears. Ex-Governor Dixie Lee Ray earned a standing ovation for a speech marked by the statement "no more arrogant individual walks this Earth than a Federal administrator coming into your area."

Two results of this hate-the-Fed program have evolved. First, any opinion poll in our county reaps a rich harvest of no votes for Federal legislation. Second, the county commissioners feel self-righteous enough to refuse to work with any other jurisdiction toward regional control of the gorge, be it the Federal Government, Oregon, our own State of Washington or even fellow gorge counties.

So much of the demagoguery aimed at Federal legislation speaks of rights—local rights, property rights, rights of electors and elected. I've known my rights since I was a day old. It's taken me a lifetime to learn about my responsibilities. As property owners in the gorge, we have many responsibilities, and we are regulated by law in matters of public safety, health, fire control, animal, fish and insect control, water and air quality, noxious weeds and sanitation. Each of these comes from a Federal or a State, either directly or through county ordinance. Most are regional because the problems are larger than county boundaries. Each impinges upon our rights to do as we damned well please on our land.

The National Scenic Area asks each of us—farmer, logger, miner, builder—to add yet another responsibility in our use of our land: consideration of scenic, historic values and fish and wildlife; and it asks the county to amend its comprehensive land use plan to protect these important values. In this small way, we in the Northwest can demonstrate to Americans in the other 48 States that we care about their rights to enjoy our gorge, even as we who live here preserve our right to live here.

[Attachments to the prepared statement of Mr. Canon follow:]

ILEY Republican ☐

BENSON Democrat ☐

☐

strict 2 Vote for One

NDENBERG Democrat ☐

☐

Utility District

IER, District 3 Vote for One

Non-Partisan ☐

Non-Partisan ☐

☐

Committeeman

Vote for One

☐

mania Count,
in 1985 and subsequent years through 1990? The total additional dollar amount to be raised on an annual basis, based on the current assessed valuation within the District, would be $56,000.00.

LEVY .... YES ☐

LEVY .... NO ☐

SKAMANIA COUNTY

Special Election — Advisory Ballot

LAND USE ADVISORY BALLOT

INSTRUCTIONS: Mark an "X" in the Box of Your Choice.

I believe that the responsibility for land use regulation and official control within the Columbia Gorge should be placed with the State of Washington, County of Skamania and the affected incorporated towns. This is unchanged from the present state law.

LOCAL CONTROL .... ☐

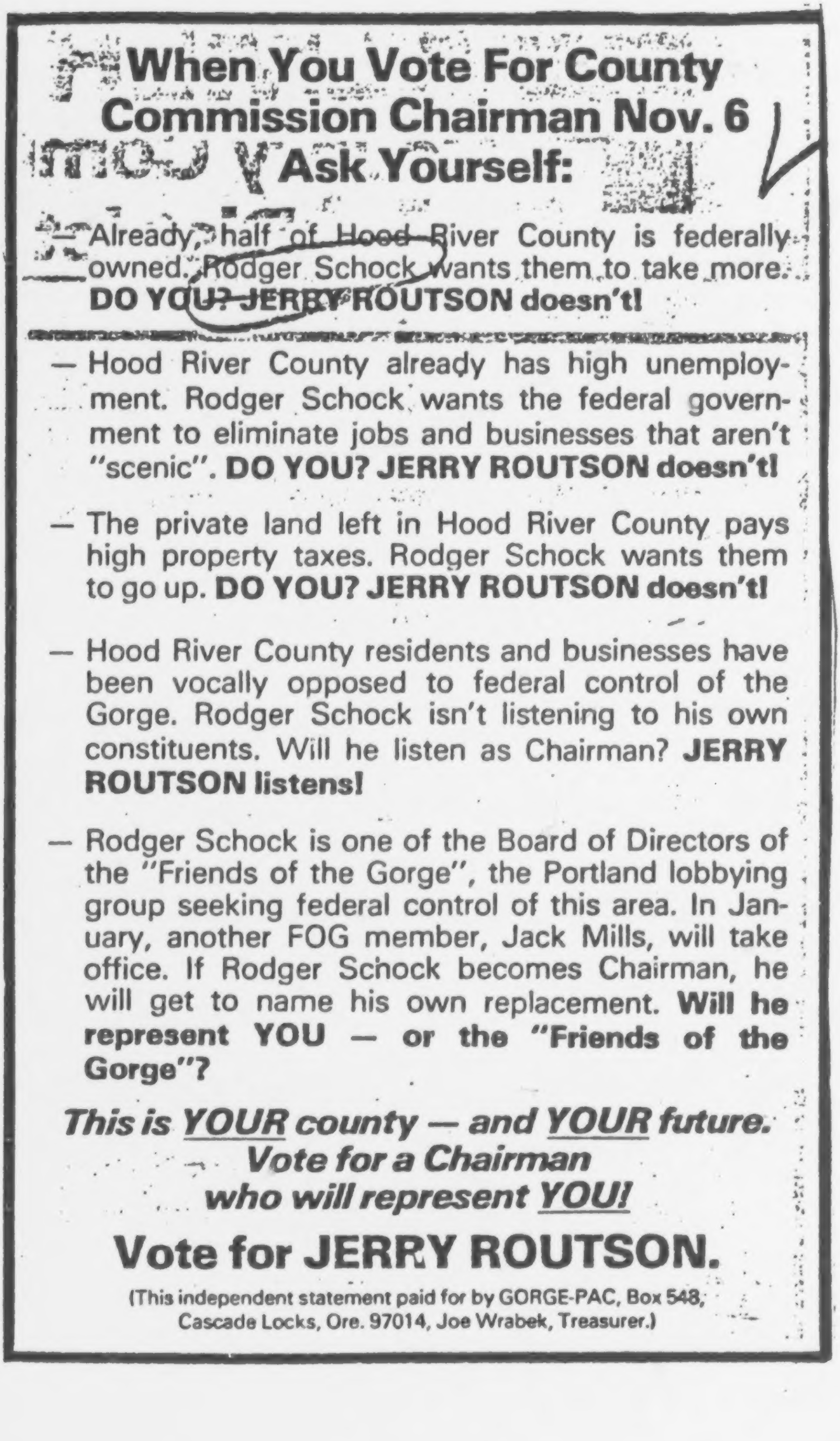
I believe that the responsibility for land use regulation and official control within the area defined as the Columbia River Gorge should be placed in a Federal Commission created by federal legislation. The federal legislation would place jurisdiction for land use planning and regulation with the Secretary of Agriculture/Forest Service, with advice from a federally appointed commission. Under this proposal incorporated municipalities would be exempt.

PACKWOOD BILL .... ☐

I believe that the responsibility for land use regulation and official control within the area defined as the Columbia River Gorge should be placed in a Federal Commission created by federal legislation. The federal legislation would place jurisdiction for land use planning and regulation with a federally appointed commission, with advice from the Secretary of Agriculture/Forest Service. Under this proposal incorporated municipalities are not exempt.

GOVERNOR'S BILL .... ☐

15



When You Vote For County Commission Chairman Nov. 6 Ask Yourself:

— Already, half of Hood River County is federally owned. Rodger Schock wants them to take more. **DO YOU? JERRY ROUTSON doesn't!**

— Hood River County already has high unemployment. Rodger Schock wants the federal government to eliminate jobs and businesses that aren't "scenic". **DO YOU? JERRY ROUTSON doesn't!**

— The private land left in Hood River County pays high property taxes. Rodger Schock wants them to go up. **DO YOU? JERRY ROUTSON doesn't!**

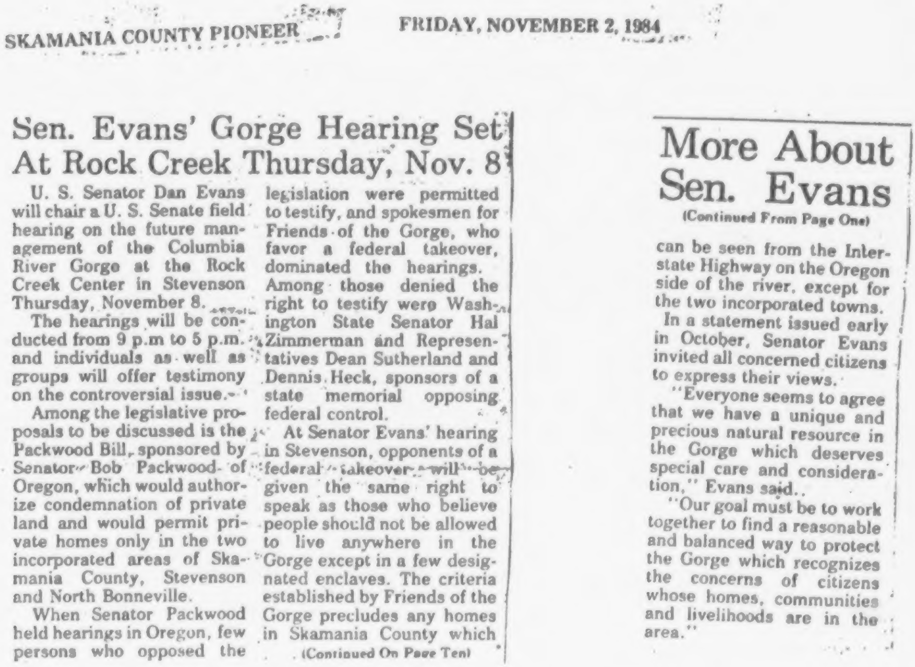
— Hood River County residents and businesses have been vocally opposed to federal control of the Gorge. Rodger Schock isn't listening to his own constituents. Will he listen as Chairman? **JERRY ROUTSON listens!**

— Rodger Schock is one of the Board of Directors of the "Friends of the Gorge", the Portland lobbying group seeking federal control of this area. In January, another FOG member, Jack Mills, will take office. If Rodger Schock becomes Chairman, he will get to name his own replacement. **Will he represent YOU — or the "Friends of the Gorge"?**

This is YOUR county — and YOUR future.
Vote for a Chairman
who will represent YOU!

Vote for JERRY ROUTSON.

(This independent statement paid for by GORGE-PAC, Box 548, Cascade Locks, Ore. 97014, Joe Wrabek, Treasurer.)



SKAMANIA COUNTY PIONEER FRIDAY, NOVEMBER 2, 1984

Sen. Evans' Gorge Hearing Set At Rock Creek Thursday, Nov. 8

U. S. Senator Dan Evans will chair a U. S. Senate field hearing on the future management of the Columbia River Gorge at the Rock Creek Center in Stevenson Thursday, November 8.

The hearings will be conducted from 9 p.m to 5 p.m. and individuals as well as groups will offer testimony on the controversial issue.

Among the legislative proposals to be discussed is the Packwood Bill, sponsored by Senator Bob Packwood of Oregon, which would authorize condemnation of private land and would permit private homes only in the two incorporated areas of Skamania County, Stevenson and North Bonneville.

When Senator Packwood held hearings in Oregon, few persons who opposed the legislation were permitted to testify, and spokesmen for Friends of the Gorge, who favor a federal takeover, dominated the hearings. Among those denied the right to testify were Washington State Senator Hal Zimmerman and Representatives Dean Sutherland and Dennis Heck, sponsors of a state memorial opposing federal control.

At Senator Evans' hearing in Stevenson, opponents of a federal takeover will be given the same right to speak as those who believe people should not be allowed to live anywhere in the Gorge except in a few designated enclaves. The criteria established by Friends of the Gorge precludes any homes in Skamania County which

(Continued On Page Ten)

More About Sen. Evans

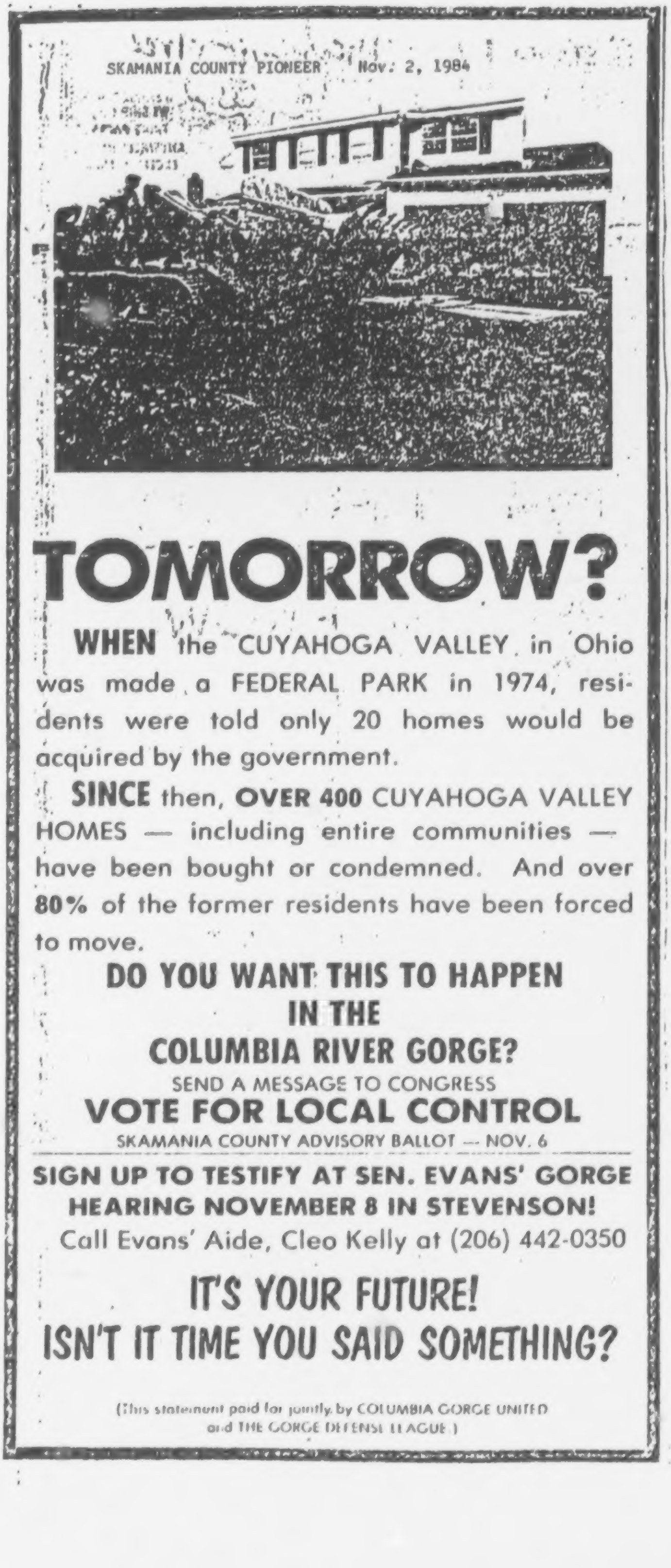
(Continued From Page One)

can be seen from the Interstate Highway on the Oregon side of the river, except for the two incorporated towns.

In a statement issued early in October, Senator Evans invited all concerned citizens to express their views.

"Everyone seems to agree that we have a unique and precious natural resource in the Gorge which deserves special care and consideration," Evans said.

"Our goal must be to work together to find a reasonable and balanced way to protect the Gorge which recognizes the concerns of citizens whose homes, communities and livelihoods are in the area."



SKAMANIA COUNTY PIONEER Nov. 2, 1984

TOMORROW?

WHEN the CUYAHOGA VALLEY in Ohio was made a FEDERAL PARK in 1974, residents were told only 20 homes would be acquired by the government.

SINCE then, **OVER 400** CUYAHOGA VALLEY HOMES — including entire communities — have been bought or condemned. And over **80%** of the former residents have been forced to move.

DO YOU WANT THIS TO HAPPEN
IN THE
COLUMBIA RIVER GORGE?

SEND A MESSAGE TO CONGRESS

VOTE FOR LOCAL CONTROL

SKAMANIA COUNTY ADVISORY BALLOT — NOV. 6

SIGN UP TO TESTIFY AT SEN. EVANS' GORGE HEARING NOVEMBER 8 IN STEVENSON!

Call Evans' Aide, Cleo Kelly at (206) 442-0350

IT'S YOUR FUTURE!
ISN'T IT TIME YOU SAID SOMETHING?

(This statement paid for jointly by COLUMBIA GORGE UNITED and THE GORGE DEFENSE LEAGUE.)

Senator **Evans**. Thank you, very much.

Next I'm very pleased to have a former colleague of mine here. It's a delight to welcome him to the hearing. I admire your patience, Bob. Gov. Bob Straub from Oregon, we're delighted to have you with us.

STATEMENT OF HON. BOB STRAUB, PAST GOVERNOR, STATE OF OREGON

Governor **Straub**. Thank you, very much, Senator Evans. I want to thank you for holding this hearing so close to Oregon. It's a pleasure to have your ear this near our great State.

My name is Bob Straub, Salem, OR, Governor of Oregon from 1975 to 1979. During my political career in Oregon I've been concerned and committed to preserving Oregon's great environmental resources: our beaches, the Willamette River, clean water in our streams, adequate wilderness areas and protecting the beauty of the Columbia River Gorge.

I'm here today to support the Hatfield-Packwood bill for the Columbia River Gorge. It's the best plan. Without it, developers in the gorge eventually will win.

The economies of both Oregon and Washington will benefit under the Hatfield-Packwood bill because the Forest Service can better develop an important tourist industry in this area because of its knowledge with interpretive programs, information centers, trail maps, wildlife movies, things of this kind which enhance the attractiveness of the gorge to tourists.

The financial gains realized by local government and the general public living in this area will be much greater under a well-managed and regulated tourism plan than those gains created through the activity of developers and builders.

The awesome beauty of the Columbia River Gorge can too easily be wrecked by developers seeking only profit. The future of this gorge is too important to Oregon and Washington to let this happen. This is the Northwest's Lake Tahoe and Yosemite.

We have an obligation to protect this great gift of nature, and to act so that generations after us can enjoy it.

I oppose the bill proposed by Governors Atiyeh and Spellman which would set up a new bilateral commission. The record of this kind of bistate approach to a management problem is dismal. Governors change, their interests and priorities change. It's too easy for some future Governor of either Oregon or Washington to be in office and turn his back on protecting the gorge. This is an interstate area and the Governors of Oregon and Washington have seldom agreed.

Lake Tahoe is a good example of the bad results from a bistate commission. This commission administering Lake Tahoe has allowed so much development of housing, apartments and commercial lands around the lake that beautiful Lake Tahoe's clear, sparkling water has been losing that clearness at the rate of one foot per year. Only after conditions got so bad were changes made that now have stopped the destruction of beautiful Lake Tahoe. But, the damage was done by that time and now it's irreversible.

We don't want this to happen in the Columbia River Gorge. We want to fully, irrevocably, and permanently protect this great gift of natural beauty that God has bestowed upon the Northwest in a manner consistent with its grandeur.

If the U.S. Forest Service has a fault, and they do have, it is a fault that they are too sensitive in timber management to local pressures. But, in discharging the responsibility of protecting the Columbia River Gorge, this sensitivity to local interest is a plus, a needed plus.

I support strongly and urge you, Senator Evans, to put your support with the Hatfield-Packwood bill.

[The prepared statement of Governor Straub follows:]

Columbia River Gorge Hearings

November 8, 1984

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But the damage was done and it's irreversible.

We don't want that to happen in the Columbia River Gorge. We want to fully, irrevocably, and permanently protect this great gift of natural beauty that God has bestowed upon the Northwest in a manner consistent with its grandeur.

If the U.S. Forest Service has a fault it is that they are too sensitive in their timber management programs to local pressures. But in discharging the responsibility of protecting the Columbia River Gorge, this sensitivity to local interest is a plus in developing a management plan for the Gorge.

I support strongly and urge you, Senator Evans, to put your support with the Hatfield-Packwood bill.

Senator EVANS. Thank you, very much, Bob.
Next is Bowen Blair.

STATEMENT OF BOWEN BLAIR, EXECUTIVE DIRECTOR, FRIENDS OF THE COLUMBIA GORGE

Mr. BLAIR. Thank you, Senator Evans. My testimony will focus upon the fundamental difference between last session's congressional bills, whether the gorge should be administered by a commission or by the Forest Service with the participation of a regional commission.

My organization opposes the management-by-commission concept for two primary reasons: first, there is no assurance that commission members would possess the necessary skills, resources, experience or even the inclination to draft the type of sophisticated management plan needed for an area the size and complexity of the Columbia River Gorge. The Forest Service, conversely, has proven time and again that it possesses the ability to manage fairly and competently large diverse areas such as Hells Canyon and the Sawtooth National Recreation Areas.

Second, commissions, particularly those in charge of controversial, land-use issues, tend to become polarized and consequently ineffective. While members dedicated to gorge preservations would be appointed to the commission, they would assuredly be balanced by representatives from politically powerful consumptive interests such as the timber and land development industries, whose overriding interests in the gorge are not protective.

The Lake Tahoe bistate compact, as Governor Straub mentioned, provides graphic support for the proposition that commissions fail in controversial land use situations.

Certainly differences exist between Lake Tahoe and the gorge. Nevada's gambling and California's large population encourage urbanization of the basin. These differences, however, affect only the degree, not the nature of the problem.

The similarities far exceed the differences. Both are areas of national importance divided by two States, several counties and over 50 different management jurisdictions.

In 1969, in an effort to control unchecked urbanization, the Tahoe regional planning agency was created and governed by a 10-member commission, six of whose members were from the local counties. In the next 10 years, 95 percent of all development requests before TRPA were granted, and the landscape and environment at Lake Tahoe irreversibly deteriorated.

TRPA's own study in 1974 indicated that one of the major causes of its failure was the commission's framework, particularly the domination by local interests. Accordingly, in 1980 Congressman Fazio introduced national scenic area legislation which called for Forest Service administration of the basin. This legislation was defeated by Nevada gambling interests.

It is not necessary to look beyond our own States' gorge commissions to see similar problems. Senator Hatfield has called the appointment of an Oregon gorge commissioner the most difficult and controversial appointment the Governor can make. Evidence of this controversy surfaced last June when the Skamania County commissioners demanded, in a letter to Governor Spellman, that the Washington Gorge Commission be disbanded.

The pressure upon gorge commissioners, particularly in Skamania County, is enormous and will be described in greater detail later today by former commissioners.

I urge your support for the Forest Service, a proven fair and impartial arbiter to administer the gorge.

Thank you.

[Subsequent to the hearing Mr. Blair submitted the following:]

FRIENDS OF THE COLUMBIA GORGE

600 First Ave., Pioneer Building
Seattle, Washington 98104

November 15, 1984

COLUMBIA RIVER GORGE HEARING'S RECORD, NOVEMBER 8, 1984,
SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES

Senator Dan Evans
702 Hart Senate Office Bldg.
Washington, D.C.
20510

Dear Senator Evans:

Thank you, once again, for holding such a comprehensive hearing on the Columbia River Gorge in Stevenson on November 8, 1984. The purpose of this letter, which I request be placed in the official hearing's record, is to describe a few of the developments and development trends, which are now occurring in the Gorge. I believe you addressed the development question to a representative of a national environmental organization, and received less than a complete answer.

For the sake of clarity, this letter will be categorized into three sections: local, state and federal actions. The local section will be further divided into six subcategories which represent the six Gorge counties in which development continues to threaten open space lands. This list is meant to highlight certain development activites: by no means is it exclusive.

I. Local actions

1. Clark County

As you are aware, Clark County does not retain large landholdings in the Gorge. Unfortunately, the majority of the County's land in the Gorge is zoned for "heavy industry."

This zoning designation has led to repeated attempts by the Port of Camas/Washougal to industrialize riverfront wetlands and pasture lands. The latest attempt, outlined in the April, 1983 Port of Camas/Washougal Master Plan, called for the expansion of the Port's industrial park into 346 of the 1,180 acre Steigerwald Lake wetlands. Presently, a 700 acre section of the wetlands appears to be protected by recent provisions passed in the Supplemental Appropriations Bill for FY 84.

Probably the greatest threat to the Gorge posed by Clark County, however, arises from its burgeoning population. In the decade from 1970-1980, Clark County grew 49.6% - almost all of the growth occurring outside of Vancouver.

Much of this growth directly affects the Columbia River Gorge. The City of Camas, for instance, has planned since 1983 to develop an 850 acre parcel southwest of Lackamas Lake for approximately 3,750 homes. The Genstar development, "Cascade Villages," would provide housing for approximately 17,000 employees expected at the Hewlett Packard and Tektronix plants near Camas.

The Book of America, by National Journal contributing editors Neal Peirce and Jerry Hagstrom, was discouragingly accurate when it stated:

> "In the case of Clark County, where the new electronics manufacturing industry has fueled growth, the sprawl threatens to urbanize the magnificent Columbia River Gorge."

This growth, compounded by the completion of the I-205 interstate bridge which links the Portland metropolis to eastern Clark County and western Skamania County, will encourage further urbanization of open space lands in the western Gorge.

2. Skamania County

Because of its lack of a zoning ordinance and the unhesitating approval of relatively large subdivisions by the County Commissioners, Skamania County has been the focal point of the Gorge management controversy.

In 1983, the Gorge Commissions completed a report which indicated "substantial land division" was occurring, primarily in western Skamania County. The parcelization report concluded that:

> "Encouraged by lax land use and platting controls, land divisions have occurred in a leapfrog, haphazard manner affecting nearly one-third of the land within the study boundary. As a result, a patch work pattern of parcel sizes exist over relatively large areas of land."

This sprawl has been exacerbated by the approval of several subdivisions.

Last August, the Commissioners unanimously approved the Hidden Harbor subdivision, an 83 lot development on 78.5 acres on the Columbia River. Construction plans include the filling of 17 acres of wetlands and the dredging of a three acre, deep water, private marina. Our organization has appealed the Commissioners' approval to the Shorelines Hearings Board.

In October of last year the Commissioners, again unanimously, approved the 21 lot Columbia Gorge Riverfront Estates across from Multnomah Falls, and actual construction was halted at the final hour only by the Trust for Public Land's acquisition of the property. It is important to understand that this development was illegally approved, initially, by the County Commissioners: on April 9, 1982, Superior Court Judge Hettinger granted a stipulated judgement and costs to local landowners who successfully challenged the Commissioners' actions.

Unfortunately, this action was filed too late to prevent Rim View Estates from being sold. Rim View Estates, which is located on the top of Cape Horn, consists of contiguous short plats of the type found illegal in the Columbia Gorge Riverfront Estates case. This subdivision also was approved by the County Commissioners, and a large house, perched on the edge of the Cape Horn cliffs, has recently been completed.

Another action in Skamania County which is of great concern is the efforts by the City of North Bonneville, in Case No. 564-80C in the United States Claims Court, to set aside the donation of Lena Pierce of 319 acres to the U.S. Fish and Wildlife Service to be managed as a National Wildlife Refuge. North Bonneville, which has slated a portion of this property for residential development, is claiming that it is entitled to the property through provisions in its relocation contract with the federal government.

As further evidence, Senator Evans, that development is indeed a problem in Skamania County, I have enclosed an August 17, 1983 article from the Portland Oregonian. In that article, Washington gorge commissioners note that:

> "although the county's planning commission chairman had asked that priority staff time be directed toward work on the county's yet-to-be-completed zoning ordinance, county planner Robert Lee had said that was impossible because of the pressures of land developers."

Skamania County's hesitation in developing a zoning ordinance, and recent history regarding that county's enforcement of the State's subdivision laws, quite frankly, invites considerable skepticism regarding that county's willingness to enforce such a zoning ordinance. This skepticism, moreover, is reinforced by implications by the County Commissioners which indicate that the purpose of enactment of such an ordinance is not necessarily for land use regulation, as much as it is to circumvent federal legislation.

3. Klickitat County

Six short plats on Burdoin Mountain were unanimously approved last August by the Klickitat County Commissioners, despite the objection of the county planner. The division of these lands, including the building of roads and installation of utilities, occurred before County approval, again in apparent contravention of State subdivision laws.

The Columbia Gorge Coalition has filed a lawsuit to overturn this approval.

The Klickitat County Commissioners have also been unwilling, or unable, to prevent landowners from using the Gorge's cliffs as a private dumping ground for refuse such as rusting automobile bodies and refrigerators. Last May, Klickitat County citizens were forced to file a lawsuit in order to receive a restraining order from Superior Court prohibiting such dumping (article enclosed).

4. Wasco County

In March, 1984, Wasco County approved a conditional use permit for a ten windmill operation on 136 acres near Mosier. While individual site locations for the windmills have not yet been established, several organizations and agencies have expressed concern over potential skyline disruption.

5. Hood River County

The Port of Hood River presently plans to develop Wells Island, which is located immediately offshore of the city. Wells Island is home for the eighth largest Great Blue Heron rookery and third largest Canada Goose nesting population on the three hundred miles of Columbia River from the Pacific Ocean to the McNary Dam. Port plans for the island include a conference center, interpretative buildings and docking facilities.

Hood River County also is presently engaged in a controversy with the state and the timber industry. The Oregon Attorney General has issued an opinion which invalidates Hood River's scenic overlay zoning as it applies to forestry lands in the Gorge. The timber industry and Attorney General maintain that the county's protective zoning can not apply to lands covered by Oregon's Forest Practices Act, even though this Act does not protect scenic resources.

6. Multnomah County

In Multnomah County, a developer is currently pressing for approval of a subdivision of a 216 acre tract into 12 lots ranging in size from 7.5 to 27 acres, despite Multnomah County zoning which designates this land Exclusive Farm Use with an Area of Significant Environmental Concern overlay. Under such zoning, the minimum permissible lot size is 38 acres, unless comprehensive farm management plans are filed, inwhich case lots as small as 19 acres can be created under special agriculturally related conditions.

II. State actions

1. Oregon

The State of Oregon recently initiated two actions which would have had an extremely negative impact on the Gorge were it not for concerted action by conservation organizations.

In May, 1983, the State issued an environmental assessment which proposed a $1.4 million Port of Entry, with several acres of cement, paved loops and access ramps, permit offices, scales and 24 hour lights in the Wyeth area. The site, located in the middle of one of the most pristine areas in the Gorge, was adjacent to a newly acquired $1 million Forest Service campground.

Citizen outrage forced the State to examine several other sites, including a site at the very entrance to the Gorge, east of the Sandy River, adjacent to Lewis and Clark State Park. After numerous hearings and only because of citizen pressure, the State finally decided to locate the Port of Entry, now expanded to a $2.1 million facility, within the urban growth boundary of Cascade Locks.

In December, 1983, the State decided to sell scenic Ruthton Park, which is located at the western edge of the City of Hood River, because the State "determined there is no future need for it." Once again, pressure from our organization and other groups forced the State to abandon its decision, and the park was given to Hood River County.

2. Washington

In March, the State of Washington attempted to transfer, for future sale, 40 acres of Beacon Rock State Park, the only Washington State Park in the western half of the Gorge. Once again, organizations and citizens rallied and the sale proposal was withdrawn.

Another significant, yet much less visible, factor relating to the State's management of its properties concerns the State's reactions to donated properties in the Gorge. Our organization has experienced at least one instance where we were told by Governor Spellman's staff that the State could not afford to accept even donated property. Accordingly, at our suggestion, the donor, Dorthea Gilbert, donated her riverfront property to the Trust for Public Land.

III. Federal actions

Federal actions, in the past and present, have greatly contributed to the degradation of the Gorge's scenic and environmental resources. Recent actions, unfortunately, have perpetuated this pattern.

A proposal is now pending, for example, for a $5.5 million dollar hydroelectric project for Gorton Creek Falls in the Wyeth area of the Mount Hood National Forest. This proposal would effectively destroy two 100 foot waterfalls. Because the Forest Service must consider this project under its multiple use guidelines, and because the Public Utilities Regulatory Policy Act (PURPA) provides a market for these projects despite the present energy surplus in the Northwest, the project may be approved by the Forest Service.

Another major federal project which threatens to negatively affect critical lands in the Gorge is the location of dredge spoils from the anticipated new locks at Bonneville Dam. The Army Corps of Engineers is considering dozens of sites for these spoils, including extremely sensitive habitat lands. Since the Corps must use the "least cost alternative" to decide upon these sites, environmental and scenic values are not considered in the evaluation, and extremely sensitive and important areas like Pierce and Ives islands received prime consideration from the Corps. Because of its value and threatened status, The Nature Conservancy recently purchased Pierce Island.

Last June, the Friends were able to stop a proposed sale of 100 acres from the Bureau of Land Management to Oregon State Parks. The sale would have removed federal protection for two plant species, Sullivantia oregana and Dodecatheon dentatum: the former is a candidate species for the Endangered Species Act's List of Endangered and Threatened Plants, while the latter is included on the BLM watch list. Unlike the federal government, the State of Oregon does not have a protective program for endangered plant species.

IV. Conclusion

In conclusion, Senator Evans, it is evident that a variety of developmental pressures is threatening important scenic and environmental resources in the Columbia River Gorge. Moreover, these pressures are occurring at each level of government: local, state and federal.

Our organization, with the assistance of concerned citizens and other organizations, has been able to successfully challenge many of these pressures. Unfortunately, however, developmental trends, such as urbanization pressures from eastern Clark County and the Portland metropolis and federal projects which encourage incompatible development, are now realities which threaten to permanently mar the Gorge's beauty. Local citizens and organizations do not have the resources nor expertise to manage the Gorge.

Nor, for that matter, should Friends of the Columbia Gorge dictate land use in the Gorge. Lawsuits are expensive, inefficient and rarely accomplish the goals which are sought. Certainly, they breed animosity between the parties.

If the Gorge is to be protected, the protection must be implemented at all levels of government. Our organization believes that this protection is ably, and fairly, afforded by legislation similar to S.627, which creates a true partnership among local, state and federal governments. Moreover, we believe that the Forest Service, with its large landholding and decades of experience in the Columbia River Gorge is the entity which is most capable of overseeing and administering an area as diverse and complex as the Gorge.

Thank you again for holding such a thorough and comprehensive hearing on this issue.

Very truly yours,

Bowen Blair, Jr.
Executive Director

BB/pag

cc: Washington delegation
Oregon delegation
Governor-elect Gardner
Governor Spellman
Governor Atiyeh
Tony Bevinetto

ENTERPRISE, White Salmon, WA, 5/17/84

Court action seen following

Three Lyle-area residents couldn't get immediate results from the Klickitat County Commissioners about their complaint regarding a neighboring landowner whose family is allegedly using visually-sensitive property for a dumping site. However, they did receive a restraining order from Klickitat County Superior Court Judge Ted Kolbaba and are awaiting the outcome of two misdemeanor trials in West District Court in White Salmon.

Attending the commission's regular meeting April 30, Tom Wilson, speaking for the group, asked commissioners to enact an ordinance prohibiting dumping on the property, owned by Jim Starr of Lyle, which sits on a bluff within the county's Columbia Gorge Overlay Protection Zone.

Because he lives within the Gorge protection zone, Wilson is concerned about federal control and Friends of the Columbia Gorge (FOG) involvement. "It's items like this that proponents of federal control like to ponder over when making their arguments," he said. "Why should one man jeopardize everything for everyone else?"

Wilson said he bought three acres of abutting property from his brother-in-law (Starr) in 1976 after the Wilson's previous home had burned down.

The Lyle resident said he paid about $4,000 cash for it, paying off Starr's indebtedness on the property. "It was the only way I could get title to the land," Wilson remarked.

Now, to the south and left of Wilson's three acres, he said Starr and members of his family are dumping refuse and creating a pile of "junk" — old automobiles and parts, miscellaneous equipment, refrigerators — visible from either side of the Columbia River Gorge.

"It's in my view to the south toward the river. My complaint is that several members of his (Starr's) family are dumping there, too, and I'm wondering, 'when is it going to stop?'" Wilson remarked.

Commissioner Chairman Fred Holly of Glenwood said he thought the Southwest Washington Health District (SWHD) had talked with Starr and cleared the matter up after the county received a complaint from FOG chairman Nancy Russell last year.

SWHD Sanitarian Don Hogarty said he has had no contact with Starr, but has talked to some individuals who have made complaints against Starr.

"My impression, from what I've learned in my contacts with these individuals is they are complaining about the lack of suitable sanitation facility on Starr's property where some mobile homes are located."

He said there was fear sewage waste could leak into and contaminate personal water supplies. He added he hasn't been able yet to examine the site for possible violations of the county's health and sanitation code.

If any violations are found they will need to be corrected, he said, adding he will first need to check into the legalities of the matter, then process the necessary paperwork before he can do anything else.

As for such material as refrigerators, Hogarty said they are legal as long as they don't have latches on them. "There's not much we can do as far as enforcement goes," he said.

While commissioners simply addressed the visual aspect of the situation, Wilson and Eugene Smith, an adjacent landowner, continued to discuss other problems they said they've had with Starr.

Wilson said he is investigating legal avenues for a civil remedy. Starr family members could not be reached for comment on the matter.

Said Wilson: "This is not a vendetta. We've been here since 1976, and we've had our fill of it. We want no more part of it. We feel the pile will only get bigger if something's not done now. If nothing's done now, what use will it be later?"

Smith also said he is having some difficulties with Starr over five acres of property just below Wilson's.

Confirming the five-acre dispute, Smith said, "That's the issue now. He's (Starr's) been a regular thornbrush, just sticking people all the time."

Smith said the issue doesn't necessarily involve the dumping as much as the property dispute. Because of the dispute, complaints were issued earlier in the year to the Klickitat County Sheriff's office, which in turn handed the matter over to the county prosecuting attorney's office for action.

Once at the prosecuting attorney's office, assistant prosecuting attorney Scott Blonien charged Starr with two misdemeanors — stock at-large and criminal trespass in the second-degree.

Starr appeared before West District Court Judge Bob Weisfield on the stock at-large charge Jan. 18. During the arraignment Starr pleaded not guilty and asked for a continuance so that he could gather survey information regarding his property boundaries.

Blonien said the continuance was granted and the court further imposed conditions and terms of Starr's release pending his trial. The jury trial is scheduled for May 25 in West District Court.

Conditions of the release stated that Starr shall not trespass on any disputed property with Wilson or Smith and that he shall not interfer with them.

Starr then appeared for the arraignment of the criminal trespass charge April 3, where again he entered a plea of not guilty. A jury trial has been scheduled for June 1.

Blonien said regardless of what has been charged and said, Starr has a single defense to the crime of criminal trespass as defined by RCW 9A.52.090 and .080. According to the RCW, a subject can use property if the subject believes he is the owner of the premises. "He (Starr) believes he owns it (the disputed property). That's the reason for the problems," Blonien said, adding it is up to the prosecutor's office to establish a history of who actually owns the property.

Sheriff John Anderson said that Starr operates by claiming land and then muddying up the issue.

"He uses this with great success," the

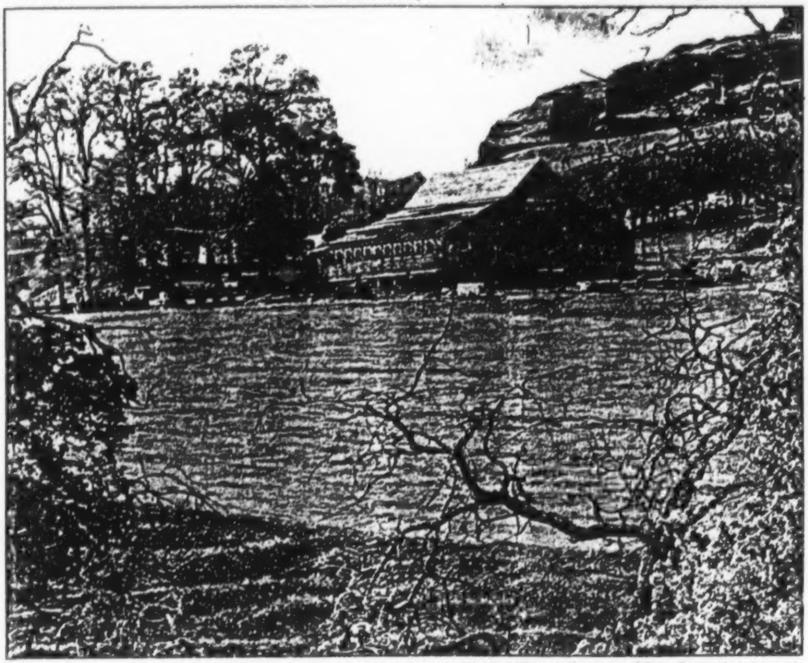
neighbors' con.plaints ove. property

sheriff said. Anderson said later, however, that Starr is entitled to equal treatment under the law.

Wilson asked his attorney, Jack Udall of White Salmon, to seek a restaining order against Starr and his associates. Wilson said that according to his attorney the order was instituted May 7.

In affidavits taken from both Smith and Wilson in regards to the restraining order, the men said they had been harassed and

(Continued on Page Two)



Near Lyle

Jim Starr's property, overlooking the Klickitat River to the east and State Route 12 to the south and bordering on the pruperties of Tom and Verla Wilson and Betty Cole of Lyle to the north and south, has caused a great deal of controversy in the Lyle area during recent months.

ENTERPRISE
White Salmon, WA
5/17/84

Lyle

from page one

were fearful of Starr.

In both affidavits the men said, "We fear that unless the defendents are restrained by the court from harassing or interfering with our rights they will continue to do so."

Following the issuance of the order Wilson said, "We now have this order against him, and I hope it's (harrassment). over with. "I'm not through yet. I'm just a small link in a big chain. I'd like to see it (conflict) straightened out. I'm going to hold my ground as long as I can. And I'm sure 99.9 percent of the community of Lyle is behind me."

August 17, 1983
Oregonian
Portland, OR

Gorge panels urge moratorium on development

962

By JEANIE SENIOR
Correspondent, The Oregonian

STEVENSON, Wash. — The Skamania County Commission should put into place a moratorium on all development in unincorporated areas of the county until a zoning ordinance is adopted there, the Oregon and Washington Columbia River Gorge commissions said Tuesday.

In a discussion sharply critical of the county's land-use controls — or lack thereof — gorge commissioners told their executive director, Jeffrey Breckel, to deliver the strongly worded recommendation in person to county commissioners.

Gorge commissioners unanimously voted for the moratorium after a discussion of George Rizor's 21-lot Columbia Gorge Riverfront Estates, across the river from Multnomah Falls. But they also directed that the recommendation be attached to their comments on two other proposed subdivisions in the county, the 78-unit Columbia Harbor development at Skamania and the six-unit Constant Oak subdivision on Underwood Mountain at the east end of the county.

Initially, commissioners discussed asking the county to "consider" putting the moratorium in place.

But Joan Smith, an Oregon gorge commissioner, objected. "They can spend the next decade considering," she said. "What we are seeing is de facto by default zoning of this county."

County commissioners, Smith said, should realize that "they are giving away the county without any regard with what will come in the future."

Smith added, "Our worst fears of 1980 are coming true, just as we predicted."

Testifying before the Skamania County Planning Commission last week, Breckel called Rizor's environmental impact statement incomplete and also criticized the development's preliminary plat and protective covenants. None of the gorge commissions' concerns were adopted, however, when the planning commission recommended approval of the development to the county commission.

"How can they possibly pretend they are going to ask us for our input and then totally ignore everything we ask them to do?" Oregon Gorge Commissioner Nani Warren said.

Dick Adlard and Clarence Irwin, both Washington gorge commissioners, noted that although the county's planning commission chairman had asked that priority staff time be directed toward work on the county's yet-to-be-completed zoning ordinance, county planner Robert Lee had said that was impossible because of the pressures of land developers.

"We need the numbers here to say we want to get that zoning done and table the subdivisions," said Lois Jemtegard, a planning commissioner who was present at the gorge meeting.

Discussing the proposed Constant Oak subdivision at Underwood, commissioners pointed to a major flaw in the county's comprehensiv plan. "I can't think of a single exception exce maybe a roller coaster that isn't listed here," said Warren, scanning the list of permitted use in a rural one area. "Is there anybody who ca tell me what wouldn't be allowed in R-1?"

"A slaughterhouse?" suggested Washingto Commissioner Enid Crawford. R-1 is a rura residential zone.

"Nope," Warren said, pointing to the "industry (light-heavy)" entry.

Smith said that although one small six-uni development might not by itself make considerable impact, placement of a group of hal acre lots in an area that now is predominantl in 3- to 5-acre parcels quickly could lead t further development "until you have the equivalent of Beaverton density in a very, very critical place in the gorge."

"In five years, my gosh, what's going t happen in this gorge?" Irwin said.

"It's going. We're going to be the generation that lost," Adlard replied.

Senator EVANS. Thank you.
Michael Frome.

STATEMENT OF MICHAEL FROME, VISITING ASSOCIATE PROFESSOR, UNIVERSITY OF IDAHO

Mr. FROME. Senator Evans, I have been to many congressional hearings over a period of 30 years as a journalist and as a witness in behalf of environmental causes. But, I can't remember one that was conducted by a Senator who was more judicious, considerate, patient, or perceptive than you have been today.

[Applause.]

Mr. FROME. May the spirit of fairness which you exemplify pervade and prevail.

As a citizen who comes from some distance across the State line of Idaho, I find it gratifying that Congress should turn attention at last to the fate and future of this fabled landscape of forests, waterfalls, and rugged outcrops that all the country and all the world identify as the Columbia River Gorge. Yes, a great many people elsewhere in America are interested in what transpires here today. The Columbia River Gorge is a matter of national interest and national concern. As the National Park Service in its study of this region reported:

> The Columbia River Gorge has outstanding scenic values that have pushed for national recognition for many years. The Columbia River Gorge is a major open space and recreation resource. The significance of the site is national in scope and deserves recognition for its attributes.

Here today I've heard the Federal Government criticized, but not the principle of Federal lands. Public lands enrich the West. Nobody says sell the Olympics, sell Mt. Rainier, sell the North Cascades. Nobody says sell the national forests. From all I hear, Washington is proud to have the Gifford Pinchot National Forest named for a great conservation hero. In Idaho, where I live now, the people have rejected the principle of privatization. They want to be sagebrush rebels, but they don't want to sell our Federal lands, as evidenced by the rejection of that proposal by our distinguished States rights, local rights, private rights, senior Senator, Jim McClure.

For these reasons, I support legislation assigning the U.S. Forest Service full responsibility for administering and protecting the Columbia River Gorge, and I wish to associate myself with the proposal made by Governor Straub. The Forest Service has long been a key presence in the gorge. It is staffed with trained, professional personnel. I've talked with the Chief of the Forest Service, Max Peterson, a man I respect and admire, who expressed his personal interest in the future of the area, and told me last week that he will be here early next month for an on-the-ground inspection of the Columbia River Gorge.

The Forest Service is a multiple-use agency, but recreation is certain to became one of the primary uses of national forests in the Northwest, particularly with the continuing decline of the timber industry here.

In Idaho we already have the Sawtooth National Recreation Area and Hells Canyon National Recreation Area, two outstanding national forest units, which clearly are forerunners of more to come. The Forest Service has shown its competency in dealing fairly and constructively with private landowners and local jurisdictions. I feel it will meet the challenge and opportunity on the Columbia River.

Yes, there must always be provision for public input and involvement. Such provision is fundamental to efficient government. But, somebody has to be in charge. State and local authority, with all credit to them, are simply inadequate for the large-scale responsibility.

With this hearing as a foundation, I hope that Congress will proceed to chart a clear course to give this choice treasure the care, attention, and management it deserves. Let us leave a record of pride rather than of regret by which history will judge our stewardship of the land.

Thank you.

[The prepared statement of Mr. Frome follows:]

Testimony of Michael Frome
Visiting Associate Professor
University of Idaho
Before a U.S. Senate Subcommittee
Stevenson, WA, November 8, 1984

It is gratifying to see Congress turning attention at last to the fate and future of the Columbia River Gorge. This magnificent landscape of forests, waterfalls and rugged rock outcrops in the heart of the Cascade Mountain Range cries out for attention and protection, not only from the people of Oregon and Washington, whose daily lives are enriched by its presence, but from all America. As the National Park Service in its recreation study of this region has reported, "The Columbia River Gorge has outstanding scenic values that have pushed for national recognition for many years. The Columbia River Gorge is a major open space and recreation resource. . .The Gorge is basically the greatest water gap in the United States. . . The significance of the site is national in scope and deserves recognition for its attributes."

I support legislation assigning the U.S. Forest Service full responsibility for administering and protecting the Columbia River Gorge. The Forest Service has long been a key presence in the Gorge. It is staffed with trained professional personnel. The Chief of the Forest Service, Max Peterson, has expressed his personal interst in the future of the area and has committed himself to an on-the-ground inspection early in December.

The Forest Service is a multiple-use agency, but recreation is destined to become one of the primary uses of national forests in the Northwest. In Idaho, we already have the Sawtooth National Recreation Area and Hells Canyon National Recreation Area, two outstanding national forest units which clearly are forerunners of more to come. In Idaho, as elsewhere, the Forest Service has shown its competency in dealing fairly and constructively with private landowners and local jurisdictions. On this basis I feel it will meet the challenge and opportunity here on the Columbia River.

I agree that there must always be provision for public input and involvement. Such provision is fundamental to efficient government. But somebody has to be in charge. State and local authority, with all credit to them, are simply inadequate for the large-scale responsibility. With this hearing as a foundation, I hope that Congress will proceed to chart a clear course to give this choice treasure of nature the care, attention and management it deserves. Let us leave a record of pride, rather than regret, by which history will judge our time on earth.

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Senator **Evans**. Thank you.

As I understand it, and most of these will be general questions to whoever can most adequately respond, in the proposals of the Friends of the Gorge you suggest pretty significant acquisition authority. I'm concerned about what happens when you have acquisition authority which goes far beyond the likelihood of immediate appropriations, especially looking ahead at the kind of situation we're likely to have in the next few years. What happens to property owners even if you are talking about critical lands where it's desired to acquire the property with acquisition authority, and then some considerable delay between that and purchase? Aren't you in effect stifling the ability of that property owner to do anything with the property?

Mr. **Cannard**. Senator, a month ago I had a unique experience. Nancy Russell and myself, cochairmen, and Mitch Bower, our treasurer, went over and spent 4 days in the Sawtooth National Recreation Area. One of the many things that we discovered was that issue. Under that legislation, unless they can come forward with appropriations, the people are allowed to go ahead and do what they want. It's up to the governing agency to be able to fund that, and if they can't, then you cannot hold the person back.

Senator **Evans**. How much time is given under that?

Mr. **Cannard**. I wish I could answer specifically what it is. When they first went in, they went in and it was all "willing buyer." Let me back up just a second.

We discovered something in crafting the legislation, and that is that the Federal Government with the right of eminent domain—it's a much maligned concept, but what we're told is that the Federal Government cannot accept a piece of property as a gift. You can't have legislation that allows them to accept it just as a gift, just to buy scenic easements or just anything. They have to have the right of eminent domain all the way down is what we were told in the crafting of same. So, the fact that they have the right of eminent domain does not necessarily mean that they have to use it. So, they went in and utilized only from a willing-buyer-willing-seller basis for several years and acquired properties during that period of time. Then eventually when it got to the point where there were some things that were going to happen, they had to use the right of eminent domain to make certain that they didn't happen, but they could only do that if they had the money. If they didn't have the money, they couldn't utilize the right of eminent domain.

Now, I could find out what the timeframe is from the time they say they want to do it and the time they have to come up with the money, I'm certain, but I couldn't answer that today.

Senator **Evans**. I find it odd, and we'll have to go back and do some checking, but I'm almost positive that it is possible for the Federal Government to accept properties by gift. I don't know what the prohibition would be that would prevent it.

Mr. **Cannard**. I will verify that statement and get you a cite on it.

Senator **Evans**. But, don't you, in your proposed piece of legislation, have the authorization or opportunity to present, by gift, lands to the—in fact, I think——

Mr. CANNARD. Yes. What we did in the legislation is, the right of eminent domain would be there, and then they removed the right of eminent domain from 90 percent of the entire national scenic area, leaving all the other rights there—the right to purchase, the right for gifts, bequests, et cetera. But, it was an exclusion, a limitation on the right of eminent domain that was built into—and its unique, but it was built into the legislation. That's one of the things that we listened to the people on. It was built into the legislation. It's not there, inherent in the—it has to be excluded specifically.

Senator EVANS. I'm talking about the more fundamental thing of acquiring by gift. You say in your propsed legislation the Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, and so on.

Mr. CANNARD. You have the bundle of rights.

Senator EVANS. I thought I heard you say earlier you didn't think the Federal Government today could accept gifts.

Mr. CANNARD. I think that's true unless you start with the fact that they have the right of eminent domain, also, and then eliminate the eminent domain. You have to eliminate it by statute, from what we were told. In other words, it's a bundle of rights, and all those rights go with the Federal Government; and then you can take away rights or restrict rights, but it has to be done legislatively.

Senator EVANS. Emphasis has been placed in several of the pieces of testimony here on management, and emphasis on the contribution of a local commission. I guess there are really two elements. "Management" is being used in several different ways and there are two fundamental elements. One is the actual management of a unit, the other is the policy setting that guides management of the unit.

Would you care to distinguish who you think should be in charge of each, or are you saying that the Federal Government should ultimately have the deciding power both for policy and management?

Mr. BLAIR. Senator Evans, I may be able to help on that. Our legislation specifies and we believe that the local government should be able to manage the land. However, they should be doing that according to policies set by the Forest Service, by an interdisciplinary team in conjunction with a regional commission. So, we would have the local governments actually manage the land, if they are willing and capable of doing so. One of the criteria for that capability is a zoning ordinance. We would have policies, however, set by the Forest Service.

Senator EVANS. Maybe this is an unfair question, but who said all questions are fair. What would you do if Federal legislation was not possible? That doesn't change the general attitude which I've heard expressed here many times by people representing a whole lot of viewpoints that the gorge is an unusual asset, that there are certain critical lands that ought to be preserved. If you didn't have Federal legislation, what do you do?

Mr. BLAIR. Well, Senator Evans, I think the first thing we would do is encourage Skamania County to continue work on their zoning ordinance to have all the protections we could at the local and State levels, and then just continue to fight brushfires as we have for the past 2 years; whether it was litigation over the Rizor subdivision, or the Young subdivision, or as the Columbia Gorge Coalition is doing on Burdoin Mountain. We don't think that's a tremendously effective way to regulate land use, and it's not a fair way, either. Friends of the Columbia Gorge should not be saying what sort of development goes on in the gorge. But, that is the role we've been playing, particularly in Skamania County.

Senator EVANS. A lot of the problems, at least some of the things we've been talking about today, appear to be questions not so much—at least only a portion of them are questions of adequacy of laws. There's been a lot of talk about whether, in fact, laws already on the books are being followed or being lived up to. For the moment, let's stick to what kind of laws or regulatory authority might be developed, and then assume whatever is done we'll find a way to make happen or to be lived up to.

Do you feel that the gorge overlays which the various counties in the gorge area have adopted or are in the process of adopting, if fully lived up to, fully regulated, could do the job?

Mr. BLAIR. Well, Senator Evans, I'll approach that from two directions. No. 1, I don't think they will. One of the reasons is because they certainly would not regulate Federal activities. Speakers talked earlier today about the problems in the gorge created by the Federal Government, and they're absolutely right, there have been problems all along and those problems are continuing. A county overlay zone certainly will not affect those problems.

The second part is that we have no guarantee that this overlay zoning will continue, will be in force, with the vagaries of county election laws, with variances being granted, as we've seen—again, not to pick on Skamania County, we have seen examples there. The Columbia Gorge Coalition is alleging in its lawsuit there have been problems with the Klickitat County overlay zone. We have problems there as far as the vagaries in the shifting of county commissioners—which is natural, the county commissioners are there to represent their constituencies. I think one of the major elements they represent are the short-term, economic interests. They have to if they're going to stay in office.

Those are mainly the two reasons why I think zoning won't work.

Senator EVANS. Well, we also do have national elections and we have changes in national administrations. Quite frequently we find—I've found, to my chagrin—that policy in the national administration, any national administration, is about as often set by the Office of Management and Budget as it is by the various departments of the national administration. Are you sure you really want to have OMB run the Columbia Gorge?

Mr. FROME. I'd like to commend for your review the legislation establishing the Sawtooth National Recreation Area in Idaho. The issue there was principally grazing on private lands, private landholders, and the act was passed. The question was would it be a national park or would it be a national recreation area administered by the Forest Service. Congress chose to establish a national recreation area administered by the Forest Service. The highlands, the Sawtooths, are wilderness; the lowlands, the flatlands, are part of the national recreation area, and there are a lot of private lands in it for which the Forest Service or the Federal Government has paid easement fees. The private land operations go on as before. I think the Forest Service, through one administration after another, has been very effective and efficient.

I might also add in response to a question you asked earlier today about where these cases are around the country.

Senator EVANS. Yes.

Mr. FROME. The prime one that comes to my mind is Adirondack Park in the State of New York, which is much, much larger than the Columbia Gorge area, about 5 million acres, 3 million acres of which are private land. The issue there was would it be administered by the Federal Government or by the State. The people of the State of New York chose to follow the State route, but there was no Federal land there. And, in fact, the regulations in effect in Adirondack Park are much stricter than are proposed in the Packwood-Hatfield bill.

Senator EVANS. But, that is—I'd forgotten about the Adirondacks, but I was aware of that. That is a State rather than a Federal entity, isn't it?

Mr. FROME. That's right. One that does not work is the Allagash in the State of Maine, where 25 years ago, when a national park was proposed there, the timber industry said you don't need a national park, we can do it. Or as somebody said here today, "if it ain't broke, don't fix it," which sounds better than it works. I was there 25 years ago, and I went back last year and today it's a disaster area environmentally. Many of the people there regret that it's not a national park unit.

Senator EVANS. Dave, you mentioned earlier you had answers to some of the earlier questions. We may have covered some of those, but——

Mr. CANNARD. You had asked a question about the overlay zone. I would point to last year, with absolutely no support, and the opposition of the Gorge Commissions, and the Friends of the Gorge and others, the Oregon State Highway Department covered up the millions-of-years-old sand dunes, because it was costing money to shovel it off, east of The Dalles. There was no recourse. They're gone. There are some that think that is just a travesty that would occur. So, it doesn't touch the States. The overlay zone, as indicated, does not touch the Federal Government.

You asked how about I-84. I think one has to look at the charge given to institutions. The highway department is charged with building highways, not protecting the gorge. Bonneville Power is charged with an electrical distribution system, not with protecting the gorge. Local communities are charged with certain things, but protecting the gorge is not one of them. It's not their responsibility to protect the gorge for the entire Nation.

With national scenic area legislation, the charge given to the Forest Service would be to develop the management plan in conjunction with the local people to solve that problem. Therein is what's called a consistency clause, which you're aware of, and the State highway department would have to do whatever they want to do with the sand dunes as long as it was consistent with the act. The Federal Government never gives up their sovereignty, so consequently they will never give that right to a commission or to a local agent.

That was one of the points I wanted to make.

Mr. **Blair**. Senator, if I can get back to your point about the national elections and the changes in administrations, certainly that's true and administration policies do change. I've found in the Columbia River Gorge District with the Forest Service, the administration has not changed that much throughout the different administrations. One of the reasons I think is because the Forest Service is one of the most decentralized agencies in the Federal Government. We've always felt one of the reasons why we have the Forest Service in our legislation is because these decisions will not be made back in DC, they'll be made down on Third and Pine in Portland, which is closer to the gorge than is Salem or Olympia. We don't see that great change from election to election on the lower level of the Forest Service.

Senator **Evans**. No; not at the lower level. I would judge that the overall policies today of the Forest Service on timber harvest, and roadbuilding and other activities surrounding the timber industry as it relates to the national forests is significantly different than it was just a few years ago.

Mr. **Blair**. I think you're right. But, those policies I feel do not affect the gorge as much. Most of the Mount Hood National Forest is out of the timber cut, anyway, and the roadbuilding is not a major problem in the gorge at this point. Certainly you're right on the other areas.

Senator **Evans**. Well, that's what I'm saying. That is a policy which is carried out by the various forest managers in different parts of the country, but it's a policy which has been set at the national level from the head of the Forest Service, rather than from anyplace else.

Mr. **Cannard**. Prior to the last several years, the employment level of the Sawtooth National Recreation Area was at 55 people, and it is now at about 26 people and going to 21 people. So, there is a different level of funding, abilities and that sort of thing. But, at the same time it is 21 people for an area that's larger than the gorge, but is much simpler to manage than the gorge in a lot of ways, and that sort of thing. But, it is 21 people, which is a marvelous management unit.

Senator **Evans**. Thank you all, very much.

Next, Joel Skousen, Esson Smith, Gerald Vasbinder, and Joe Wrabeck.

Next on the front seats, Bob Robinson, David Teitzel, Mike Cowan, Roberta Pitts, and Cliff Courtney.

Let us proceed. Time rolls. Let me once again remind people that we would be delighted to receive written testimony if it's impossible for you to stay, and I will guarantee everyone I personally will read all of it and that it will be part of the overall record and document which will be available, then, to all members of the committee for their actions.

With that, let us start with Joel Skousen.

STATEMENT OF JOEL SKOUSEN

Mr. SKOUSEN. Senator Evans, the proponents of the legislation tend to focus on the authority and power aspects given to the Federal Government, specifically because they're interested in control of the residents here. I believe that most of the impact of the particular legislation at hand will be not on Federal or State projects, most of which have been completed as far as possible, but on local issues of private control.

Let me address, then, from the 41,000 people point of view, what the impact of this proposed legislation on their particular lives is. I have served as a planning commissioner in Hood River City and am an architect by profession. In general, property rights of the individuals become exercised on by exception, not as a matter of right. In other words, every activity that a person begins to act upon, once this legislation goes into view, becomes by permission only. That is anytime one wants to add something to a carport, he must get permission to do everything that he does to his property.

Now, as a matter of problem with aesthetic legislation or scenic value legislation, these are subjective values which are translated into specific rules and regulations—so many trees in front of a yard, so many inches back from this so many feet of buffer zone. None of that can be correlated, obviously, to any particular piece of property.

We found in our planning commissions that all of the variances had to do mostly with the vagaries and differences between the rigid regulations and the particulr piece of property that needs to be adjudicated. Variances are a very necessary object in planning in order to have justice done to the particular property owner.

In this particular type of legislation, the cost involved in going higher up in a tier of variances, not only just to the county level or the city level where it's most appropriate, but so often we were regulated from giving a variance in our own conscientous way because the State had mandated and courts had mandated that you could not, under certain circumstances, change the rules; and a person, under very agonizing circumstances and agonizing costs, could not get justice because we had to go to a State level. This would only be more compounded at a Federal level.

I would also, in conclusion, like to point out that there is a great illusion about joint management in these proposals. In terms of law and authority, there is no such thing as joint management. Whoever has the ultimate authority has all authority, and no one below that level has any authority in reality; though he may have input, though you may have hearings, none of us have any authority or rights, only higher-ups, the one with the ultimate authority has rights. It will either be local control or Federal control. There will be no in-between if the Federal is involved. Whichever is the highest authority is that which will run with that authority.

I am concerned with the misstatements concerning rights and some of those things which have been said. There really are no such things as society's rights or public rights. There are only individual rights. There are society powers granted by majority rule that are given, but there must be certain limits to those powers. We've seen significant degradation of property rights and true individual rights. My only request to you, Senator Evans, is that we take care to make sure we can adjudicate the conflict that arises between those powers granted to Federal agencies or States and the rights of individuals, and that we do that adjudication at the local level, not at the Federal level.

Senator EVANS. Thank you.

Esson Smith.

STATEMENT OF ESSON H. SMITH, SECRETARY-TREASURER, COLUMBIA GORGE UNITED

Mr. SMITH. Senator Evans, my name is Esson Smith. I'm 74 years young, having been born on a houseboat near Corbett, OR. My father was a river man, engaged in commercial fishing, ferry boat operations and log towing. I grew up on the Stevenson waterfront, and in 1939 started a log towboat company here.

In observing the Columbia Gorge from a tugboat for 55 years, I have seen it grow more beautiful each year. The Gorge does not need Federal legislation to keep it beautiful, Mother Nature with a little help does that.

Senator, the issue is not scenery, it is survival. Every section of the Friends of the Gorge bill, S. 627, is heads the Friends win, tails the people of the Gorge lose. The intent of this bill, and the so-called Governors' bill, appears to be to remove all residents from this gorge.

I will mention a few problems in both bills that are especially revolting. Section 12 of S. 627 punishes people for having built homes or changed their property 3½ years ago. Section 10 of S. 627 and section 16 of H.R. 3853 allow the new Federal managers to fine people and put them in jail for violating their guidelines and orders, even when they conflict with State laws.

In my opinion, both bills violate article IV, section 2, of the Constitution. They draw lines through parts of two States, and state that people living on one side of the line will not have the same civil rights as people on the other side. As I read the Constitution, the Government is supposed to play by the same rules that apply to the rest of us. In my opinion, some of your other colleagues have forgotten that we have a Constitution. Congressman Morrison has told us we are not important, that he votes for 54,000 people. I guess that doesn't include any of us.

Senator, one of the Columbia Gorge United's main purposes has been to get attention for what the people in the gorge have to say. In the process, we have gone out to the public with postcards, asking their opinion. We have received 1,410 cards, all of which are against Federal control. Many people had additional comments, and we have compiled them into a separate document which I have attached with my statement. We urge your careful consideration of their comments. What they have to say is important.

Senator, the people living in the gorge are honest and trusting people. They ignored this legislation for a long time. They have said we have a Constitution that protects us, the Government can't do these things to people in a free country. The people in The Dalles pay more attention to the Rajneesh than to the gorge legislation. They can see the Rajneesh.

I understand it is the aim of President Reagan to return authority to local governments, and cut the size, cost and intrusion of big Government. By using your influence to prevent a gorge takeover, you would be helping the President with his program. You would also be helping to restore the faith of a lot of good American citizens in their Federal Government and Constitution. We who live in the Columbia Gorge have always considered ourselves a part of this country and would like this country to regard us in the same way.

Thank you.

[The prepared statement of Mr. Smith follows:]

TESTIMONY
of
ESSON H. SMITH
Secretary-Treasurer, COLUMBIA GORGE UNITED
before
U.S. SENATOR DAN EVANS
Senate Energy & Natural Resources Committee
Subcommittee on Public Lands & Reserved Water
on
COLUMBIA GORGE FEDERAL-CONTROL LEGISLATION
at
Rock Creek Center, Stevenson, Washington -- November 8, 1984

Dear Senator Evans:

My name is Esson Smith. I am 74 years young, having been born on a houseboat near Corbett, Oregon. My father was a commercial fisherman, and later operated a ferry boat between Cascade Locks and Stevenson, Washington. I grew up around the Stevenson waterfront, and after graduating from high school at Stevenson, moved to The Dalles and operated a ferry there for my father. In 1939 I started a log tow boat company on the new Bonneville pool. I have spent most of my working days operating tug boats towing logs in the Gorge, and only last month stopped working.

In observing the Columbia Gorge from a tugboat for 55 years, I have seen it grow more beautiful each year. The Gorge does not need Federal legislation to keep it beautiful. Mother Nature with a little help does that.

Senator, the issue here is not "scenery". It is survival. Survival for the residents of the Gorge.

There are a select few in Portland, Oregon, who call themselves the "Friends of the Gorge", that would like to control the people in Skamania County, and the State of Washington. The easy way to do this is to "Federalize" the Gorge--and get the Federal government to engineer the condemnation or purchase of choice lands identified by the "Friends", which the "Friends" could subsequently purchase or lease from the government at a grossly reduced price, to use for their own private playground.

The "Friends" wrote S.627 in its original form and talked Senators Hatfield and Packwood into introducing it in Congress. As I read that bill, the intent is to remove all people living in the Gorge--either by purchase, condemnation, or such unemployment and economic dislocation that people will be disenchanted into leaving. Whatever their motive, the "Friends" have the money and political clout to get their way. In 1983, they raised--and spent--$88,000 lobbying for passage of their bill. Three-quarters of that money came from 16 individuals, 9 corporations, and 11 foundations. That's hardly the "grassroots movement" the "Friends" are trying to project. If the "Friends" do have the 2,000 members they claim, they do not appear to be getting financial support from them--and they do not appear to be telling the truth to them.

When Senator Packwood introduced his bill, he explained how wonderful this "New Order" was to be, and how everything would progress very smoothly--residents would like it very much, and industry would flourish. Senator Packwood had not and has not seen the "Friends" at work. We have. Every time there is a proposal made or a hearing held for a project that would provide any employment or create any construction in the Gorge, the "Friends" send out their hired gun to protest it, and to threaten a lawsuit of some kind to stop it. In these efforts they have had the assistance of the Gorge Commissions, which have departed from their statutory mandate as land-use and resource-protection advisors to devote their time and efforts to promoting Federal-control legislation—with our tax dollars.

It irks me no end to have to continue to fight not only outside lobbyists, but a state commission financed by state funds that sides with those "Friends" in promoting Federal confiscation of people's property. Senator, the protestations of the Gorge Commissions' Director need to be taken with a large dose of salt. He is one of the authors of HR 3853, the "Governors' Bill", which proposes to establish a "new Gorge Commission" of 14 Presidential appointees that will be run by a GS-15 manager, that will control—not advise—the people in the Gorge. How much of his concern is for the Gorge, and how much is for that GS-15 paycheck?

Senator Evans, there is nothing in S.627 or HR 3853 that is beneficial to the residents of the Gorge. Every section of the "Friends"' bill, S.627, is a "heads-the-'Friends'-win, tails-the-people-of-the-Gorge-lose" situation. The "Governors' Bill", HR 3853, is no different.

I do not agree with either bill in any way, but would like to point out a number of clauses that are particularly revolting. Section 12 of S.627 punishes people for having built homes or changed their property three and a half years ago. Section 3 "pre-shrinks" the boundaries of the Gorge's incorporated cities to where they were three and a half years ago. Sections 5, 6, 7 and 8 give the employees of the U.S. Forest Service power to do most anything they want in the Gorge, including the superceding of existing state and local laws with their regulations and orders. Sections 6, 8, 9 and 10 of HR 3853 confer the same powers on 14 "commisars" and their GS-15 staff. Section 10 of S.627, and Section 16 of HR 3853, allow the Federal managers to fine people and put them in jail for violating their orders and regulations, even when they conflict with state law. If there is any way of delivering a dirtier low blow than this, I do not know of it.

In my opinion, both S.627 and HR 3853 are in direct conflict with the Consituttion of the United States. Under Article IV, Section 2, "The citizens of each state shall be entitled to the privileges and immunities of citizens of the several states." Yet these bills would draw a line through the states of Washington and Oregon, and place the citizens inside that line under different rules than those that apply to the rest of their respective states. This is unconstitutional and the bills should be stopped if only for this reason.

Senator Evans, in my opinion your colleagues, Senators Hatfield, Packwood and Gorton, have forgotten there is a consitution of the United States. Our own Congressman, Rep. Sid Morrison, has told us we are not important, that he votes for 54,000 people. I guess that doesn't include any of us.

Senator, the people that live in the Gorge are hard-working, honest, and with some exceptions quiet people that keep their feelings to themselves and in general do not talk much publicly. These people have not paid a great deal of attention to the Gorge legislation; most of them were led to believe early in life that there was a Constitution of the United States, and that document was the law of the land, and what made the United States a great nation. Many people have told me, "We have a Constitution that protects us; the government can't do these things to people in a free country."

The people in The Dalles pay more attention to the Rajneesh than they do to the threat of Federal control of the Gorge. They can see the Rajneesh. The Rajneesh are a visible and obvious threat to them; they have taken over one town, established another, and appear to be trying to take over the entire county. But only a few through the Rajneesh were a threat until these things actually happened. Federal control of the Gorge is dismissed with much the same "It can't happen here" attitude. Senator, people here still believe that you folks back in Washington, D.C., are looking out for our best interests, and making sure government is performing according to the rules set out in the Constitution. They are expecting that you and your colleagues will listen to them, and protect their civil rights and political freedoms.

Senator Evans, as you are probably aware, I am against any and all Federal bills that are made and probably will be made to "control" the Columbia Gorge. To draw a boundary line, and say that the people living on one side will not have the same civil rights as the people on the other side is an obvious violation of Constitutional protections dating back over 100 years. It is not possible to deny a person the rights of property ownership, the right to control his own affairs through a locally elected, representative government, the right to be secure from arbitrary seizures, fines and punsihments, because of where he lives any more than you can deny those rights because he is black, or female, or old, or--as they did in Germany a few decades back--because he is Jewish. And I don't see how you can pass a Federal law authorizing discrimination against one minority--the 41,000 people living in the Gorge--without setting a precedent for other minorities to get treated the same way.

Senator, you are in a heck of a spot, and at this time I want to thank you for doing what you said you would--hold a hearing and let every one have his or her say; that is a whole lot more than your counterparts in Oregon did for us. I feel that you should uphold the Constitution of the United States--not go about changing it so there can be different rules for one area, or one group of people, than another.

I understand that it is the aim of President Reagan to return authority to local governments, and cut the size, cost, and intrusion of Big Government. By using your influence to prevent a Gorge taekover, you would be helping the President with his program. You would also be helping to preserve--or restore--the faith of a lot of good American citizens in their Federal government and Constitution--that our Constitution is still the greatest document ever made, and stands ready to protect the rights of all American citizens.

We who live in the Columbia Gorge have always considered ourselves part of this country and would like this country to regard us in the same way. Please let us continue to live as Americans.

Thank you.

Esson H Smith

Esson H. Smith
Post Office Box 372
Stevenson, WA 98648
(509) 427-5910

Senator EVANS. Thank you, very much.

If you wish to submit the cards, we can add those to the committee file, but we can't print them in the committee record. They would certainly be available.

Mr. SMITH. There is a copy of those. There's 1,400 cards ere and they're reduced down to 65 percent of original size. The omments are on another sheet.

Senator EVANS. OK, the comments I think we can—well, what we're trying to do, we've got committee rules on what we can put in. Remember that what actually goes in the record ends up costing so much per page. I don't know, somebody mentioned $1,000 a page earlier and I think that's pretty close to right. So, we do want to make sure that everything is available to us. Something like this probably would be better in the committee files, so it's available with the reference to it.

Mr. SMITH. Do you need more copies of that?

Senator EVANS. No, we won't. We can make more copies.

Mr. SMITH. OK. Thank you.

Senator EVANS. Next is Gerald Vasbinder.

STATEMENT OF GERALD A. VASBINDER, COLUMBIA GORGE UNITED

Mr. VASBINDER. My name is Gerry Vasbinder and I live in Stevenson, WA. I spent the first 39 years of my life in northeastern Ohio, where some of my relatives still live. I am familiar with the Cuyahoga Valley and what happened to the people there, contrary to some things you may have heard today. Some 10 years ago, the Cuyahoga Valley became a national rereation area amid just such concerns and protestations about preserving the spectacular beauty of a rural landscape as you hear today from these self-appointed Friends of the Gorge.

When the Cuyahova Valley NRA was proposed by Congressman Seiberling of Ohio, residents were told the Government would only need 26 to 28 homes. Most of the Federal protection would come in the form of easements. That passed the Congress. But, the next year there were 50 more proposed. and the next year 100, and so on. Then, suddenly the Government was buying and condemning homes and land outright instead of buying easements.

Today the National Park Service owns most of "Condemnation Valley." Over 350 of the area's families have been force to move. Their homes have been burned down, or boarded up and left to rot or be vandalized. After spending over $75 million in property acquisition, the only facilities the Government has constructed are five picnic tables. They haven't been used yet, but at $15 million apiece people are naturally very protective of them.

I talked to a Mr. Martin Griffith, one of the planning commissioners in Peninsula, a city of about 700 people, which is about the same size as Stevenson, which was originally left out of the park in much the same manner that our incorporated cities in the gorge are supposed to be protected from what the Federal Government does to our rural neighbors. But, boundary changes, also authorized in the gorge bills, one day put the town inside the park. Then, as Mr. Griffith put it to me, we woke up one morning and found that the National Park Service had acquired 20 percent of the property inside our city.

Is this the sort of protection intended for the gorge?

Some of these lobbyists obviously think so. In the attached letters which you have, as long ago as 1978, Mr. Chuck Williams, then a lobbyist for Friends of the Earth, was urging the Government to use the Cuyahoga Valley as a model for land acquisitions in the gorge. We are concerned that the wholesale destruction of the communities that became a national scandal in the Cuyahoga Valley not be repeated here.

Frankly, Senator, we are inclined to look askance at any Federal legislation that proposes to protect our property from ourselves, that offers us promises others have been burned believing, that guarantees unlimited funds to an irresponsible bureaucracy with a history of trying to improve the environment by squeezing the life out of it.

Mr. Griffith and others left in Condemnation Valley have been making the same arguments against Federal control you are hearing from my neighbors here. The place was more beautiful before it became a park. It was better maintained by its owners, at no cost to the taxpayer. It was more interesting and drew more visitors when there were towns and people and things to do. The Government, saying it would prevent change, caused more drastic change than five generations of human settlement.

Senator, there are lessons here that should be applied to the Columbia Gorge before our even larger population and regionally important economy end up being sacrificed unnecessarily and at tremendous expense. We can't afford it and the country can't, either.

Thank you.

Senator EVANS. Thank you, very much.

Joe Wrabek.

STATEMENT OF JOSEPH T. WRABEK, EXECUTIVE DIRECTOR, COLUMBIA GORGE UNITED

Mr. WRABEK. Thank you, Senator. I am Joe Wrabek and I am executive director of Columbia Gorge United. I'd like to apologize for the absence of our Mr. Aldridge. Mr. Aldridge is a realtor, and he is about to make his first sale of 1984 today. Business has not been good in the Columbia Gorge.

To save time, I've attached to my statement a brief sheet explaining how Columbia Gorge United was formed, why and what directions we're coming from.

We hear repeatedly that we are unplanned and unregulated here in the gorge, and to quote both the Friends of Gorge and the Coalition, the gorge is up for grabs and always has been. Commissioner Callahan this morning presented Skamania County's extensive plans and ordinances governing private land use. We have brought along the corresponding plans and ordinances from Multnomah, Hood River, Wasco and Klickitat Counties. These represent a regional investment of millions of dollars and countless hours of effort that cannot and should not be dismissed as inconsequential simply because it is not Federal.

These plans do differ from the proposed Federal plan. For one, they exist. Where is this Federal plan that we can compare it to ours and see which is better?

Second, they're widely supported, primarily because they were written and implemented by the people who live under them.

Third, they do recognize that people live in the gorge, and require jobs, homes and may even want to raise families here. The Federal bills that we've seen refer to our population as intense human impacts without which the environment would presumably be better off. We are concerned about what a regulatory bureaucracy with unlimited funds would do with that kind of a mandate.

Fourth, they appear to be effective at doing precisely what the environmental lobbyists say they want the Federal Government to do in the gorge: Prevent population growth and development. The gorge's population has declined 16 percent in the past 2 years. Unemployment rates have been upward of 33 percent. The largest employers in the gorge have moved operations elsewhere; 18 percent of the housing in Skamania County is vacant. I could go on.

We seem, in short, to be committing economic harikari quite effectively on our own, perhaps with a little help from our self-appointed Friends. Is it necessary or desirable for the Federal Government to spend scarce dollars to replicate what is already being done for free?

Now, without access to these lobbyists' crystal ball, I can't verify their claims of impending ecological doom. But, what I see from my vantage point as a city official and resident is a very long-term economic and population decline in the gorge whose roots lie in a dependence on a limited, 19th Century economy, distant markets, few resources, poor soil and a tax base that is already straitjacketed by a public land ownership averaging 50 percent. These conditions do not appear likely to change. I don't see any way the Federal Government is likely to improve them. However, it could make them worse. We urge that you not do so.

I wanted to mention one final point that was suggested by one of the Sierra Club people earlier today. They noted that the gorge is a unique environment and should be managed from the ground up. That's precisely what we've been proposing, not from the top down.

We have to treat the resident population of this area, I think, and their property and their elected governments as the solution rather than the problem. If we can't have environmental protection within a framework of elected government and private property, we have a problem in this country.

Thank you, very much.

[The prepared statement of Mr. Wrabek follows:]

COLUMBIA GORGE UNITED

PEOPLE OPPOSING FEDERAL CONTROL

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of
Joseph T. Wrabek
Executive Director

COLUMBIA GORGE UNITED:
People Opposing Federal Control

re: COLUMBIA GORGE LEGISLATION

U.S. Senator Daniel J. Evans
Senate Energy & Natural Resources Committee
Subcommittee on Public Lands & Reserved Water

Field Hearing at
Rock Creek Center
Stevenson, Washington
8 November 1984

FIELD OFFICES

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Hood River County — Box 548, Cascade Locks, OR 97014 — (503) 374-8565
Skamania County — 1.40 Oklahoma Road, Cook, WA 98605 — (509) 538-2745
Klickitat County — Box 224, Lyle, WA 98635 — (509) 365-4332

Senator Evans:

I'm Joe Wrabek. I'm Executive Director of COLUMBIA GORGE UNITED. We were formed 2 years ago to serve as a clearinghouse for information about the Gorge and Gorge legislation to the public and the growing number of groups opposing Federal control.

We hear repeatedly that we are unplanned and unregulated here, that (to quote both the "Friends of the Gorge" and the Columbia Gorge Coalition) "the Gorge is up for grabs and always has been".

Commissioner Callahan has presented Skamania County's extensive comprehensive plans and regulatory ordinances governing private land use. We have brought the corresponding plans and ordinances from Multnomah, Hood River, Wasco, and Klickitat counties.

These represent a regional investment of millions of tax dollars and countless hours of staff and volunteer effort that cannot be dismissed as inconsequential simply because it is not Federal.

Some major advantages of these over a Federal plan:

(1) These exist. The form and content of the proposed Federal plan is unknown. We would be in economic limbo until it was finished. And there are Federally-managed areas that have been waiting 7 to 10 years longer than they expected to find out what the Federal government has planned for their future.

(2) They are widely supported--primarily because they were written and implemented by the people who have to live under them. Whether a bracelet is perceived as an ornament or a shackle depends largely on who is putting it on whom.

(3) They do recognize that people live in the Gorge, and require jobs and homes and may even want to raise families here. The Federal bills we have seen refer to our resident population as "intense human impacts" without which the environment would be better off. We are understandably concerned about what a massive regulatory bureaucracy with unlimited funds would do with that kind of mandate.

(4) They appear to be effective at doing precisely what the environmental lobbyists say they want the Federal government to do in the Gorge--prevent population growth and development. The Gorge's population has declined by 16% in the past 2 years. Unemployment rates have varied from 17% to 33%. The largest employers in the Gorge have moved operations elsewhere. Much of The Dalles' downtown area is up for sale. 15% of the homes in Hood River County are for sale. 18% of the homes in Skamania County are vacant. I could go on.

Some of the credit, of course, must go to the "Friends of the Gorge" and company, whose protests and threatendd lawsuits at nearly every job-producing proposal have contributed to the employment and population exodus, and frightened new business away.

We seem, in short, to be committing economic hari-kiri quite effectively on our own--with a little help from our self-appointed "Friends". Is it necessary or desirable for the Federal government to spend scarce dollars to replicate what is already being done for free? Or are we to believe the park proponents' claims that our present economic decline is "insufficient", and that Uncle Sam must be called in to accelerate and intensify it? We question whether that is an appropriate use of tax dollars, too.

Without access to these lobbyists' crystal ball, I can't verify their claims of an impending Lake Tahoe-style ecological doom. But what I see from my vantage point as a resident and city official is a very long-term economic and population decline that will happen irrespective of Federal "management".

Its roots lie in a dependence on a limited, 19th-century economy, distances from markets, few resources, poor and unusable soil, some of the worst weather in the United States, and a tax base already strait-jacketed by a public land ownership averaging 50% Gorge-wide and over 90% in some areas. These conditions do not appear likely to change. I do not see any way the Federal government is likely to improve them. However, it CAN make them worse.

We urge that you not do so.

We suggest the Gorge be left to itself. We have a long history as survivors here, and we are prepared to continue to take care of ourselves and our environment without Federal assistance.

I'll close with a word or two about tourism, which we continually hear presented as a future economic panacea. We are particularly glad you scheduled this hearing at this time. Your presence, and that of your staff and the news media, have brought some welcome "tourist dollars" into our communities at a traditionally slow time. This area receives 125 inches of rain during our 9-month "monsoon season", and few people come here to watch it fall. Thank you for coming, and for stimulating others to visit also.

PUBLIC OPINION

The future of the Columbia Gorge and its residents has been the subject of numerous polls and surveys since 1981.

Advisory referenda on Federal control of the Gorge have been on the ballot in Columbia Gorge jurisdictions three times. Polls and surveys have been conducted by local jurisdictions, metropolitan news media, political candidates, and independent polling organizations--in the Gorge and in the adjacent Portland-Vancouver urban area.

The results have been the same--an overwhelming public opposition to Federal control of the Gorge, no matter in what form it was described.

An historical summary of the major attempts to sample public opinion on this subject is below. A full list of the questions and percentage responses to the most recent Portland poll (June 1984) is on the attached sheet.

* * * * *

SKAMANIA COUNTY, WASHINGTON -- November 1981

County-wide general election advisory referendum:
3% FOR Federal control;
94% AGAINST.
(Remaining 3% favored a bi-state compact.)

CASACDE LOCKS, OREGON -- October 1982

City Light Dept. survey of all electric customers from Bridal Veil to Wyeth, a distance of 22 miles:
1.6% FOR Federal management;
96.8% AGAINST.

PORTLAND, OREGON -- October 1982

Independent poll by MOORE INFORMATION, INC., of a random sampling of the Portland metropolitan-area population:
14% FOR Federal management;
65% AGAINST.

VANCOUVER, WASHINGTON -- April 1983

Telephone survey by Vancouver *Columbian* of 515 homes (80% in urban Clark County, and 20% in the Gorge):
4.1 FOR Federal management.
(Remainder were split among 5 different local, "inter-local", state, or bi-state control choices, with none receiving more than 29% support.)

PORTLAND, OREGON -- June 1984

Independent poll conducted by The Hoffman Group for candidate DREW DAVIS in the Oregon 3d Congressional District (east Portland and Multnomah County):
10% FOR Federal management;
67% AGAINST.

KLICKITAT COUNTY, WASHINGTON -- November 1984

County-wide general election advisory referendum:
4% for FEDERAL control;
63% for LOCAL control.
(36% favored a combination of Federal and local control.)

DETAILS OF MOORE POLL:

The protection and preservation of the Columbia Gorge has been a subject of controversy for years. Several Northwest members of Congress have recently introduced Gorge protection legislation.

This month M.O.S.T. asked residents of the Portland Metropolitan area who they felt was best qualified to protect the Gorge.

Women are more likely to believe the State would do the best job protecting the Gorge.

Men are more likely to favor management by the Federal Government than women.

Respondents earning in excess of $25,000 a year are more likely to favor management by private landowners.

"Which do you think would be best to protect the Gorge, management by;

the Federal government,	14%
State governments,	44%
local governments, or	11%
private land owner?	10%
Combinations	4%
Not sure	17%

A majority does not favor management of the Gorge by the Federal Government.

COLUMBIA GORGE UNITED

PEOPLE OPPOSING FEDERAL CONTROL

POSITION STATEMENT

In the Matter of the COLUMBIA GORGE———

ANY MANAGEMENT PROPOSAL FOR THE COLUMBIA GORGE------

(1) MUST AFFIRM AND PROTECT THE BASIC RIGHT OF THE PEOPLE WHO LIVE AND WORK IN THE GORGE TO CONTINUE TO DO SO, AND MAKE THE SAME OPPORTUNITY AVAILABLE TO THEIR HEIRS.

(2) MUST AFFIRM AND PROTECT THE RIGHT OF GORGE RESIDENTS AS AMERICAN CITIZENS TO CONTROL THEIR OWN AFFAIRS THROUGH AN ELECTED AND REPRESENTATIVE GOVERNMENT.

(3) MUST RECOGNIZE THE GORGE'S IMPORTANCE NOT ONLY AS A TRANSPORTATION CORRIDOR, BUT AS A PRODUCER OF HYDROELECTRIC POWER, AGRICULTURAL AND WOOD PRODUCTS, AND JOBS FOR A SIZABLE POPULATION INSIDE AND OUTSIDE THE GORGE; AND ENSURE THE CONTINUANCE OF A DIVERSIFIED AND VIABLE ECONOMIC BASE.

(4) MUST RECOGNIZE AND PROTECT THE GORGE'S LIMITED TAX BASE BY PROHIBITING THE FURTHER ACQUISITION OF PRIVATE PROPERTY BY THE GOVERNMENT.

(5) MUST AFFIRM AND PROTECT EXISTING LAND USES AS APPROPRIATE, AND PROHIBIT THEIR RETROACTIVE ABATEMENT.

(6) MUST RECOGNIZE EXISTING EFFECTIVE LAND-USE AND RESOURCE-PROTECTION MECHANISMS, AND NOT ATTEMPT TO ALTER, EXTEND, OR REMOVE THEM FROM PRESENT CONTROL WITHOUT DEMONSTRATED NEED.

(7) MUST CONCENTRATE ON THE PROTECTION ONLY OF THOSE RESOURCES AND VALUES IN LAND WHICH ARE VERIFIABLE, QUANTIFIABLE, AND ADJUDICABLE UNDER LAW; AND RECOGNIZE THAT "SCENIC BEAUTY" IS A MATTER OF PERSONAL OPINION WHICH IS NOT CAPABLE OF REGULATION WITHOUT INFRINGING UPON THE CIVIL RIGHTS OF THOSE WITH DIFFERING OPINIONS.

The above position statement was adopted unanimously by the Board of Directors of COLUMBIA GORGE UNITED, June 2, 1983.

About
COLUMBIA GORGE UNITED

In September 1982, representatives from the Gorge Defense League, The Committee to Preserve Property Rights in the Columbia River Gorge, the Oregon State Grange, Washington Association of Realtors, Skamania County Taxpayers Association, Industrial Forestry Association, and Worker-Owner Plywood Association, initiated a series of discussions intended to foster closer communication among their various organizations, all opposed to legislation imposing Federal control over non-Federal land in the Columbia Gorge. Those discussions quickly involved other individuals and organizations, and developed into the coalition known as COLUMBIA GORGE UNITED: People Opposing Federal Control.

COLUMBIA GORGE UNITED's purpose is six-fold:

(1) To establish a central organization for protecting the people of the Gorge from Federal control.

(2) To coordinate a united effort.

(3) To produce a solid lobbying effort.

(4) To organize a state and Federal movement.

(5) To educate the public about the Gorge and how the issue affects them.

6) To allow the citizens of the Gorge to do what they decide is best for them without Federal pressure.

CGU's elected Board of Directors includes resident landowners from each of the Gorge's six counties, as well as small business, consumer, agriculture and natural resource interests, and representatives from the Portland-Vancouver metropolitan area. CGU is a membership organization supported entirely by regular dues and contributions.

COLUMBIA GORGE UNITED has grown since its inception to a large coalition of individuals and organizations, involving government leaders, employers, employees, farming, industry, timber, trade and tourism interests, and both major political parties. Its membership cuts across state, county and party lines. Its headquarters in Stevenson, WA, and field offices in six other Oregon and Washington communities, provide coordinated technical and information services to its membership, the Gorge and metropolitan public.

February 1984

COLUMBIA GORGE UNITED
Main Office
Box 328 (248 First St.)
Stevenson, WA 98648
(509) 427-8392

Evenings (509) 427-5716 or (503) 374-8565

Senator **Evans**. Thank you.

Let's make short reference to the last paragraph of your statement which you didn't read. It's worth reading.

> We're particularly glad you scheduled this hearing at this time. Your presence, that of your staff and the news media have brought some welcome tourist dollars into our communities at a traditionally slow time. This area receives 125 inches of rain during our 9-month monsoon season, and few people come here to watch it fall. Thank you for coming and for stimulating others to visit.

[Laughter.]

That's all right.

Mr. **Wrabek**. We do appreciate you coming, Senator.

Senator **Evans**. Thank you.

I've got one I guess fundamental question. With the various local zoning plans and management plans developed by counties and the communities in the area, what happens when you run across a situation, which may well evolve, where either the plan itself or the determination of local officials on a particular piece of what may even be generally felt is a critical area seems to be at odds with an appropriate preservation of that area? What do you do in those circumstances? Just let it go?

Mr. **Wrabek**. We tend, I think, from my experience, to go out to the community and try and make our decision, as much as possible, based on the long-term direction that they want the area they live in to go. In my experience both in planning, as a planning commissioner, and as a city council member, I think those people make pretty good decisions. They tend to think very long-term because they have to live with the consequences. The area that you see around you is essentially the result. It does look better than it did 50 years ago.

Senator **Evans**. Yes.

Mr. **Skousen**. Senator, in my personal experience I've worked with just such difficulties in the Hood River city area, which included Wells Island, by the way, and that's perfect example. Here we were requiring a man to continue to pay the taxes on a piece of land which he could not sell, which no one would buy because it was in limbo, still is in limbo for many years, he could not develop. That's a very costly thing to a person. We're talking about saving, yes, some swan areas, et cetera. But, also a man's very livelihood is in danger. Are we to require a person to continue, at his expense, by legal mandate, to feed the swans while he pays thousands of dollars in property taxes and perhaps goes bankrupt? Those are questions which can only be resolved at a local level.

If you take that to the Federal level, Mr. Wells looks, having only a vested interest, he looks selfish. He looks like a person who's only going for a profit. But, profits aren't evil, of course. We have to live and eat by profits. No one eats without a profit.

So, that's the area that's a perfect example of why we chose to defer generally, when there was a question, to the private owner and to property rights. I think that we tend to overlook those rights, since they're paying for it and no one's willing at the governmental level to pay him a fair market value for his land, then obviously he has to have the foremost rights. They must be protected, as is our constitutional duty as elected leaders.

Senator **Evans**. Well, I think you give a good example of the problem that can exist on that one hand, of having restricted his right to do something with his property, and then not coming forward with either purchase or some settlement. That very well can be the problem at the Federal level.

What I was looking at is the alternative problem that happens at the other level, where a local zoning plan or the decisions locally may be insufficient to protect something. That area that you may want to protect, even a majority of the people in the local area may want to protect, and it may well go by the board. How do you suggest you handle that? They're sort of two extremes, you posed one and I'm posing the other.

Mr. **Skousen**. Well, the question that has to be addressed each time is who owns it and what's he intending to do with it. You cannot resolve any of those questions without asking that primal question because the man who owns it, first and foremost, has a fundamental, inalienable right, and that is, he owns the property, it belongs to him.

One of the difficulties in giving what we call rights to the public, which cannot exist, a fundamental right is one that each person can possess without being in conflict with another. In terms of scenic protection, there can be no public rights because all the public cannot view a scene and possess it equally and simultaneously without being in conflict. In fact, there's inevitable conflict when everyone attempts to possess it.

So it is with these particular public plans. There are few who view the particular area as scenically critical. If it's environmentally critical, that's one thing; smoke emitting form a smokestack, environmental water quality, that can be adjudicated by law, it can be seen, it can be touched, it can be felt. But scenic quality is totally subjective and is subject to a great deal of real difficulties. That's why I am of the opinion that we must strengthen rather than deteriorate further the basic fundamental rights of property—rather than continue to erode them.

I'm also of the opinion that it is the continual erosion of these basic ownership rights that is causing our economy to decline so heavily here. That's why we're having to bribe, and I use "bribe" very carefully, bribe businesses with taxpayer money to come to Oregon, because they won't touch our State, with a 10-foot pole because of land use regulation qualities. If we have a Federal presence here, I can guarantee you that 41,000 people here will continue to decline in jobs and in environment.

Senator **Evans**. I think you're probably a little strong in talking about the inalienable right of property. We as a society restricted that from the very first days of our republic. Every time we have fundamental codes on building, set-asides and requirements to handle sewage, requirements that we set on ourselves for ensuring that if we live in a residential area, we won't have a factory or rendering plant of some kind plopped right in the middle. We do that constantly. That's the whole nature from the time, I suppose, when we had two cavemen who both wanted the same cave.

Mr. **Skousen**. Actually, since about the thirties. Those property rights were held inviolate before that time in the United States.

Senator **Evans**. Well, I think you can go back considerably further than that, just depending on the degree to which you want to talk. But, I think it comes from the fact we've just got a country of 240 million people in it instead of 3 million, which we had 200 years ago, and just a whole lot more intensive interaction between people, which has given us a lot of our benefits. The fact that we have that many people helping produce, as a result we've got a lot of benefits from their production, from each of us sharing that production, that we wouldn't have had otherwise. But, it also has led and continues to lead to the kind of sharing of responsibility which goes along with some of those rights. I would guess that's what county commissioners struggle with about 75 percent of the time.

Mr. **Skousen**. But, I think, Senator, there's a difference fundamentally between degradation and/or limitation of property rights, legitimately so to protect environmental quality, from damage to other people's property rights, which includes their human bodies. That we don't disagree with. What we're talking about is the fundamental difference with taking and degrading and restricting and regulating property rights over scenic, subjective judgments and opinions mandated and implanted upon us by a board of experts or board of bureaucrats, and which cannot be adjudicated by law but can only be given arbitrary powers to those boards to decide. That's what these people are objecting to here in this valley.

Senator **Evans**. Well, this is probably a different forum and a different kind of debate, because I think that there are unquestionably some opportunities to set fairly specific standards which make even scenic easements, if that's what we are talking about, not totally subjective. The real question is when you get to a point where there's pretty general agreement, even among the local community as well as in the broader community about certain things that should be done, then the question is what happens if you can't get them done at the local level. Then you've got your choice: you get them done some other way or you just don't do them.

Mr. **Wrabek**. Well, we've tried a couple of things over in the State of Oregon. Recently they raised money on a private basis from individuals to purchase a large chunk of the Deschutes River for a State Park. The State did not have the money to buy the property. The money was raised privately from people who desired to see it become a park. That's one way.

Also in the State of Oregon, the State administers a wild and scenic rivers program, but they don't have the money to buy out anyone's property that's being used in a manner that the State does not desire. Therefore, they have to negotiate with that person and they have to show that person it's in his own self interest to do what the State would prefer him to do. According to the Oregon State Parks director, they've been fairly successful at that—again, without spending a dollar.

I think these are things that you can work with. We may have 240 million people in this country, but we have a deficit that's running in the billions, and the amount of money that is proposed to be spent here, primarily on buying out people's property without a clear indication of what it's going to be used for, is a matter of some concern. Presently it's being regulated for free.

Senator **Evans**. OK. All right, thank you, gentlemen, thank you, very much.

Next, Bob Robinson, David Teitzel, Mike Cowan, Roberta Pitts, and Cliff Courtney.

Once again let me remaind people of our delight to receive written testimony. We still have about 80 to go.

Let's start with Bob Robertson.

STATEMENT OF BOB ROBINSON, GORGE DEFENSE LEAGUE

Mr. **Robertson**. Senator Evans, I've been a resident of the gorge for 40 years and have had a business here for the past 30 years. I'm going to cut mine a little short because it's all pretty near been said before.

Senator **Evans**. That's good. In fact, if you want to associate yourself with a particular piece of testimony from other panels, that would help us, too.

Mr. **Robinson**. I stand for everything that's been said in regards to local control.

There's a great difference between preserving a wilderness area, and an area that's settled with businesses, homes, and families, and has been for over 100 years. From whom must the gorge be protected? That's never really been established. Certainly it's not from the residents; their homes, farms, and communities are what make it special. It's not from the developers, they don't like our weather. It's not from the tourists. If it needs any protection, it's from the Government itself and the environmentalists who have gone too far.

The citizens of America have given clear mandates for less government, not more.

I'll finish by saying I challenge our elected representatives to treat all of the electorate fairly and designate the entire State as a scenic area, as most of the State is also scenic. Otherwise, leave control where the constitution places it, in the hands of the local people.

Thank you.

[The prepared statement of Mr. Robinson follows:]

To: Senator Evans and Hearing Members
From: Bob Robinson, Member of Gorge Defense League Panel

Senator Evans and Concerned Citizens;

As a resident of the Gorge for over 40 years, I want to share some concerns about our area and to restate why I, as an individual and a member of the Gorge Defense League, stand for local control of the Gorge.

There is no such thing as a partnership when it comes to someone managing someone elses property. The impact of any legislation would be devastating to our work-force in Skamania County as nearly all large employers are located outside the only exempted areas (Stevenson and North Bonneville city limits), and they could face acquisition. This includes Stevenson Co-Ply, WKO, Ober Logging, Broughton Mill, the PUD, and most of our schools, to mention a few. The decline of these businesses will certainly affect all business in the exempt areas, and the community as a whole cannot survive long. The loss of taxes will burden all the citizens and reduce the value of their properties. The Secretary of Agriculture even has the CHOICE of whether or not to reimburse the county for loss of tax revenue (Section 16 of S627). How many new businesses will be attracted to an area facing this kind of threat? How many dollars would you continue to reinvest if you owned a business here, Senator Evans?

One bill states that the Secretary of Agriculture will have full authority over all government projects (Section 7 in S627). Does that mean logging permits, road use permits, building permits, etc? If you've ever had to get permits for even small projects under our present system, can you imagine having to deal with the Secretary of Agriculture? Section 2 of that bill states that any economic development must meet scenic criteria. This means besides meeting the present tests for non-polution, environmental impact, non-discrimination and OSHA, a business would now have to pass a scenery test before it could even start! Congressman Morrison suggested we can make it on tourism, but a recent Chamber of Commerce study showed tourism won't support the area. (Not even with a World's Fair, I might add.) Even our new sternwheeler only runs a few months of the year because of the weather.

Now, how much is too much? Where does it end? There is a great difference between preserving a wilderness area and one that is settled with businesses, homes and families and has been for over 100 years!!

From whom must the Gorge be protected? That has never been established. Certainly it's not from the residents. Their homes, farms and communities are what make it special. Certainly it's not hordes of developers--they don't like our weather. It's not from the tourists--they stay in Vancouver or Portland and drive through. (How many of you stayed in our local motel last night?) If it needs any protection it is from government itself and environmentalists who have gove too far.

The citizens of America have given clear mandates for less government, not more.

I challenge our elected representatives to treat all of your electorate fairly and designate the entire state a scenic area, as most of the state is also scenic. Otherwise leave control where the constitution places it--in the hands of the local people.

Senator EVANS. Thank you, very much.
David Teitzel.

STATEMENT OF DAVID L. TEITZEL, GORGE DEFENSE LEAGUE

Mr. TEITZEL. I certainly admire your patience, Senator, and thank you for giving me the opportunity to speak here today.

Senator EVANS. I might just say in passing that it's a heck of a lot more interesting, fun and informative than sitting through some of the hearings back in Washington, DC. So, it's my privilege, too.

Mr. TEITZEL. I'm glad we can make it that way for you.

The Gorge Defense League represents individual citizens who, for the most part, live within the Columbia Gorge boundaries, people who live here by choice 100 percent of the time. We admit to the scenic magnitude of the gorge, but we also experience the harsh reality of winter storms, seemingly endless rain, icy roads, and the economic plight of many of its fold. Those who live tend to be hardy, independent, and able to care for themselves; people who love where they live, stewards of the land.

Our Federal and State Governments already control over 80 percent of Skamania County. Federal forest revenues are received by the county, but only from productive forestlands. The Federal Government has, within the last 2 years, removed thousands of acres from producing revenue by designating the Mount Saint Helens National Volcanic Monument and other extensive wilderness areas.

The dam, whose backwards turned miles of scenic, wild river into a lake destroying land and many fish runs, was built by the Federal Government. Wide paths that crisscross the scenic gorge and bear only large, unsightly transmission towers were created by the Government. Promises of a park on the Columbia waterfront on land taken by condemnation in 1969 by the Federal Government continues to grow into brush, evergreen briers, and weeds.

We are opposed to any legislation that takes more control away from the local people of the gorge, legislation that would carry with it the right of condemning private property, legislation that would be enforced by some agency headquartered outside the Columbia River Gorge.

We oppose legislation that recognizes only incorporated towns and not established communities that have existed since the middle 1800's and continue to be an integral part of local government through their active community councils.

We, who live in Skamania County, cannot continue to exist with more of our tax base removed, our jobs curtailed through no-growth-no-change regulations and our property values set by the government.

The local people and local control have in the past and are continuing to make the gorge cleaner, more beautiful, and more visitable. County land use regulations are intact and enforced. Neither bill considered strengthens the rights of individual citizens, guarantees ownership of private property, protects the economic base of the gorge counties, or provides jobs for local residents. Given present conditions, local control is the only viable option that should be considered.

We have seen what the Federal Government has done to the gorge. We feel we have given enough of our rights to our fellow citizens already. As stewards of the land, we will accept our charge and continue to take care of that which we are entrusted.

Thank you.

[The prepared statement of Mr. Teitzel follows:]

To: The Honorable Senator Evans
Re: Senate Hearing on The Columbia Gorge - Nov. 8, 1984
From: David L. Teitzel, Gorge Defense League
Date: November 8, 1984

The Gorge Defense League represents individual citizens who, for the most part, live within the Columbia Gorge boundaries. People who live here by choice 100% of the time, enjoying the beauty of a bright crisp fall morning with the sun rising behind Wind Mountain and the brilliant colors reflected from the waters of the Columbia. We admit to the scenic magnitude of the Gorge but we also experience the harsh reality of winter storms, seemingly unendless rain, icy roads and the economic plight of many of it's fold. Those who live here tend to be hearty, independent and able to care for themselves, people who love where they live, stewards of the land.

Our Federal and State Government already control over 80% of Skamania County. Federal Forest revenues are received by the county, but only from productive forest lands. The Federal Government has within the past 2 years removed thousands of acres from producing revenue by designating the Mt. St. Helens National Volcanic Monument and other extensive wilderness areas.

The Dam whose backwaters turned miles of scenic wild river into a lake destroying land and many fish runs was built by the Federal Government. Wide paths that crisscross the scenic Gorge and bear only large unsightly transmission towers were created by the government. Promises of a park on the Columbia waterfront on land taken by condemnation in 1969 by the Federal Government continues to grow into brush, evergreen briars and weeds.

We are opposed to any legislation that takes more control away from the local people of the Gorge. Legislation that would carry with it the right of condeming private property. Legislation that would be enforced by some agency headquartered outside the Columbia River Gorge.

We oppose legislation that recognizes only incorporated towns and not established communities that have existed since the middle 1800's and continue to be an integral part of local government through their active community councils.

We, who live in Skamania County, cannot continue to exist with more of our tax base removed, our jobs curtailed through no growth no change regulations and our property values set by the government.

The local people and local control have in the past and are continuing to make the Gorge cleaner, more beautiful and more visitable. County land use regulations are intact and enforced. An illegal immigrant would not be able to create a city on land designated Rural II or Conservancy in Skamania County.

Neither Bill before Congress strengthens the rights of individual citizens, guarantees ownership of private property, protects the economic base of the Gorge counties or provides jobs for local residents.

Given present conditions local control is the only viable option that should be considered. We have seen what the Federal Government has done to the Gorge. We feel we have given enough to our fellow citizens already. How much more must be taken of our rights and property to satisfy the lust of a vocal monied minority? As stewards of the land, we will accept our charge and continue to take care of that which we are intrusted.

Senator EVANS. Thank you.

Next, Mike Cowan.

STATEMENT OF MIKE COWAN

Mr. COWAN. Sir, while I am dismayed at having to be here at a hearing on this subject, I have to commend you for conducting what I think is a very first-class hearing, very well done, and your patience is remarkable. I, at least, have had the opportunity to get up and walk around.

When two people standing in the same general location perceive a problem, when one person is facing collectivism and the other person faces individual liberties, if they perceive a problem they will devise solutions based on their perspectives. The collectivist will opt for a larger, stronger Federal presence; the individual libertarian will opt for solutions on a local and an individual basis.

Regarding the gorge issues, I do not believe that a problem has been properly, dispassionately documented or articulated. People who have envisioned problems have envisioned them based on speculation and supposition. Indeed, for the many collectivists amongst us, the main problem that they have identified is that we are not collectivized; that is, we have no plans, no committees, no zoning, no control.

But, for those who insist there is a need for a problem, and they won't go away, like Bob Leick said this morning, I have a solution to propose. Conceding to them that there may be a problem, which I don't believe there is, but if there is I have a solution. I would say that all governments have always been cumbersome, wasteful and slow, and the larger they are, the more so. Right or wrong, I think that's simply the nature of the beast. Free people acting freely in their own self interest are the solution to any problem. Give a child a brown crayon and the outline of a horse, and you'll get a brown horse. Give a child a box of crayons and a blank sheet of paper, and you've provided an opportunity for creativity that may reward you handsomely.

There are those who would protect the Columbia Gorge and its scenic grandeur with controls, regulations, planning, restrictions, governing—all negative words. While I sympathize with their concerns, I quarrel with their solutions. Rather than applying these inhibiting principles to protect the gorge, I propose that we seek to nurture the gorge. If we protect, we fence in and stifle. If we nurture, we provide an environment for life—blossoming flowers, clear waters, healthy wildlife and everything that free people do. As Americans, some of us convinced perhaps erroneously that we have a problem, let us eschew the sterile path of collectivism and seek our solutions in the arena of liberty around which this country was founded.

Senator EVANS. Thank you, very much.

Roberta Pitts.

STATEMENT OF ROBERTA PITTS, STEHEKIN, WA

Ms. PITTS. I am Roberta Pitts and I am from Stehekin, WA. Stehekin is located in the Lake Chelan National Recreation Area. I have lived there for 8 years and am presently the president of the

Steheken Heritage Defense Committee, superintendent of the school district and a member of the Chelan County Planning Commission.

In 1967 and 1968, hearings similar to this one were held concerning the federalization of the Steheken area. They fill several large volumes and are full of reassurances given our people that all would be fine, and the community would continue much as it always had. As a result, there was an overall trust in Government that what is said is what is meant. Nothing could have been further from the truth. We are now governed by Federal bureaucrats with extremely broad discretionary powers. We now exist under a system where personal freedoms are severely restrained by a permit lifestyle unknown by most Americans.

I must speak out against any federalization of the Columbia Gorge. Congress must consider what is happening after areas are federalized. All too often the first move is to remove the people living there through land acquisition. Then the Federal community moves in to take over.

It is my observation Congress does not look back at what it has created. Even challenging Government Accounting Office reports have not concerned Congress sufficiently to look seriously at what is happening after federalization.

There have been grievous wrongs done our people in the name of preservation and protection. This must end. There are no assurances that Congress can provide the people living here that they will not become disenfranchised citizens. I stand against the coercive social planners that are gaining support in the Congress for federalization of the Columbia Gorge. This preservation mentality targets areas with little regard to the effect on the individuals involved. I would put my trust in these individuals living and working in this area. They will do more to maintain a productive environment for all America than all the bureaucratic controls and reassurances Congress can espouse.

Let's have a new beginning right here in the Columbia River Gorge and say no to the coercive social planners who are working for the disenfranchisement of citizens in the name of the environment.

The constitution of our Nation is specific in its protection of individual freedom. It recognizes too that this freedom is in jeopardy unless society recognizes the individuals right to enjoy his property. I ask you, Where do you stand in upholding this most precious of our constitutional guaranties?

Senator EVANS. Thank you.

Next, Cliff Courtney.

STATEMENT OF CLIFFORD G. COURTNEY, STEHEKIN, WA

Mr. COURTNEY. My name is Cliff Courtney. I reside in Stehekin, WA. I'm testifying today not as a resident within the Columbia River Gorge, but rather as a resident for all my life in a federally-controlled area, a life I might add that has been kept in constant turmoil by the National Park Service and the United States Forest Service.

I consider myself a conservationist and at one time I also lived the dream that the Government could preserve an area, and also strike a balance so that communities within the Federal area could remain. I have since learned that human rights and freedom have no bearing on decisions that are made while trying to manage any of these areas.

I have watched as millions of dollars of taxpayers' money has been spent to buy up hundreds of acres of private property, including most of my great grandfather's and my grandfather's homesteads as well. I have seen people tormented by regulations, policies and uncertain futures, all brought about by our huge, unfeeling bureaucracy, to the point where they left in disgust at their own Government.

Yes, I think it is very important that the Columbia River Gorge is saved from being ruined for future generations; that is, saved from the Federal Government for future generations of the families living here that will be slowly and methodically squeezed out if this area should be put under Federal control.

I urge you and everybody here that may think that Federal control is a quick fix to think about the American citizen as a whole, not just those that will be viewing this area but also those that live in the area. No individual taken out of the public constituency which we claim to represent would want us to condemn somebody's property that they have lived on for generations, to tear up his very roots just because he was unfortunate enough to live in a secenic area.

If there's any doubt in anybody's mind that they will be phased out, I encourage them to look at the records of both the Park Service and the Forest Service and they will see that the eventual goal is to own or control everything, not only property but businesses as well.

You may also want to look at entities like the California Coastal Commission and what they have done to private landowners. This commission, with all of its discretionary power, may be much like one of the proposals being offered here. I know it may sound unreasonable to think that a whole town can be condemned, but don't think for a minute that it hasn't happened before.

Any area of discretionary power left to any agency or commission will be constantly plagued with new policies, regulations and other restrictions that are never put to the vote of the people. It is not reasonable to leave people with no foundation to build their future on. You never know if you will be the next one that is phased out. Elected officials learn to ignore you in the fear that some special interest group will make it look like you were trying to weaken environemtal controls of the act instead of reform the bureaucratic mismanagement.

I believe it is time we started taking care of what we'ver got. Didn't we already add nearly a million acreas of wilderness to Washington State just this year? I beliee we could spend our money more wisely rebuilding trails and so on in these areas. Our country is no longer wealthy enough to continue to keep substracting areas that are a tax revenue to our State and Federal tills and turning them into tax losses.

In my mind, Senator Evans, your environmental scorecard would gain more points by concentrating on existing scenic areas than it would by acquiring more at this time.

Thank you.

Senator EVANS. Thank you, Cliff.

This question is primarily for Cliff and Roberta Pitts. With your experience in Stehekin, can you explain a little more just what the nature of that relationship is? I've been through Stehekin many times over the years, but not recently. I'm not sure I precisely know the relationship between the—you're now surrounded by the North Cascades—well, is it the national recreation area up there? The national park doesn't come down that far, does it?

Mr. COURTNEY. We live in the Lake Chelan National Recreation Area, which is administered by the National Park Service. It's kind of funny that people earlier tonight have said the Park Service has experience running multiple purpose areas and the Forest Service doesn't. In my view, it's strictly the other way around: the Forest Service has many multiple use areas and the Park Service has very few. When they first came up there in 1968 they were pretty much just getting started on recreation areas, and I think they will pretty much admit that.

But, the main problem is the Park Service knows nothing but preservation. They do not look at recreation except for maybe in a very small scope.

While our hearings and even our bill said that we were not to be phased out—our statute, rather—it's just been one little thing after another that constantly works on you, like I say, that constantly keeps you in a turmoil; that you never know what they're going to do next, whether they're going to make the compatibility standards to where you can't even rebuild your outhouse, or cut down the size of our mountain trips to the point wher we can no longer make a living at them. It's just a very unfair, like I say, foundation for anybody to try to stand on.

Senator EVANS. So, it's really the problem of an inholding of private land which is in the national recreation area, and then the regulatory requirements that go along with it keep changing?

Mr. COURTNEY. Yes, that's right, and it's not just the fact there's private land. It's also that it's a very small community and there's, like, 40 people living up there year round. Now there's about 80 people living up there year round and they brought in 40 percent of the people. More or less 40 percent of the people directly or indirectly live off a government paycheck. I hate to compare it to the Rajneesh and their voting system, but that's pretty much what it's done to our community council.

Senator EVANS. The others are part of the management of the recreation area and the park?

Mr. COURTNEY. Yeah, they have a little bit different approach to managing an area than the Forest Service did. The Forest Service had no more than three seasonal people up there. The Park Service now has nine full-time and something like 44 seasonal people to run actually a smaller area than the Forest Service was running in pre-1968.

Senator EVANS. I guess that's fine, it's all pretty clear from the statements. I appreciate it. Thank you, very much.

All right, now, the next panel is Dick Adlard, Vera Dafoe, and Kate McCarthy. I think those three are still here.

I would ask the indulgence of those here. We've got one panel that's due some time from now, but as a father of three sons in school, this is a high school panel, and I suggest we all allow them to testify next if they promise that, after testifying, they'll go home and study, do their homework. So, I'd ask Shannon Hotchkiss, Ed McClarney, Jr., Ralph Morasch, and Mary Meg Hegewald if they want to get up front here, next on the rostrum.

Yes, sir, Mr. Adlard.

STATEMENT OF DICK ADLARD, WASHINGTON COLUMBIA RIVER GORGE COMMISSION

Mr. **Adlard**. Thank you, Senator Evans. I'll try to be brief.

While I'm a member of the Washington Columbia Gorge Commission, I'm speaking today as a private citizen concerned with the future protection of the Columbia River Gorge. My home for 22 years has been Skamania County, in the heart of the gorge. Before my retirement, I worked as a Washington State University cooperative extension agent with responsibilities for resource development and forestry.

I had the privilege of working with your staff and the people of Skamania Couunty as you, our Governor, developed the far-reaching State water management plan. Managing the steep, forested slopes was a vital part of that plan. I would like to propose to you today a method of maintaining our natural scenic beauty, and at the same time assisting our property owners with a practical, forest, scenic management, cost-share program. Notice this is one of the things that you asked at the beginning today, something that was new, something that you haven't heard.

Senator **Evans**. You've got my attention.

Mr. **Adlard**. It's something that I've kicked around for 4 years. Even in the days when I was county agent I was thinking that there should be some method, and I'm convinced that it is an approach to one of our major scenic problems.

You're probably aware of the National Agriculture Stabilization Conservation Service Program. It's administered by each State and local county committee. In the gorge area of Oregon and Washington, our government, under local committee guidance, now enters into cost-share forestry practice for tree planting, site preparation, water retention and stand improvement. I might say that there are some of those committee members sitting in the audience that have worked at this local level over the past years.

I am proposing that this same cost-share concept be extended to certain forest management practices which would protect scenic values. In general, these practices involve the careful planning and execution of harvest actions so that the landscape retains a natural appearance. Time-proven silvicultural practices are used, including precommercial thinning and commercial thinning, selective tree removal and clearcutting. But, they are carefully matched to terrain and landscape features to retain a natural appearance to the viewer.

The U.S. Forest Service has been a leader in developing such technology for the use of visually sensitive recreation lands. Indeed, several industrial timber owners in the gorge have already attempted to apply these principles and have achieved varying degrees of success. Most common among the practices used are establishing buffers to screen operations from major viewpoints and roads, using irregular rather than straight cutting lines, and keeping harvest areas small and similar in size and scale to the natural openings.

In summary, such a program would maintain much of our private forestlands as resource lands, including continuing to produce needed wood and fiber. It keeps the forestlands on the local tax rolls. Over the long run, it would allow the landowner to receive the same income. It costs less because it avoids the cost of acquisition and ongoing public managment and upkeep.

I urge you and your committee to give real consideration to this. Actually, in the gorge area there's 18 percent of the area that is in forestland.

[The prepared statement of Mr. Adlard follows:]

Testimony of Dick Adlard, Stevenson, Wash.

Before

the Senate Energy and Natural Resources Subcommittee
on Public Lands and Reserved Water

November 8, 1984

While I am a member of the Washington Columbia River Gorge Commission, I am speaking today as a private citizen concerned with the future protection of the Columbia River Gorge. My home for 22 years has been Skamania County, in the heart of the Gorge. Before my retirement, I worked as a Washington State University Cooperative Extension Agent, with responsibilities for resource development and forestry.

I had the privilege of working with your staff and the people of Skamania County as you, our governor, developed the far-reaching state water management plan. Managing the steep, forested slopes was a vital part of that plan. I would like to propose to you today a method of maintaining our natural scenic beauty in the Gorge and at the same time assist our property owners with a practical forest scenic management cost-share program.

You are probably aware of the national Agricultural Stabilization Conservation Service (ASCS) program, administered by each state and local county committees. In the Gorge area of Oregon and Washington our government, under local committee guidance, now enters into cost-share forestry practices for tree planting, site preparation, water retention and stand improvement.

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The U.S. Forest Service has been a leader in developing such technology for use on visually sensitive recreation lands. Indeed, several industrial timber owners in the Gorge have already attempted to apply these principles and have achieved varying degrees of success. Most common among the practices used are establishing buffers to screen operations from major viewpoints and roads, using irregular rather than straight cutting lines, and keeping harvest areas small and similar in size and scale to natural openings in the landscape.

These practices are not without cost. Current Forest Service studies on scenic management practices in Northern Idaho indicate that such practices cost between $6.50 and $16.69 per acre per year, depending upon the practice used and the maturity of the timber.[1] *This may be a significant cost to the forest landowner, particularly the small woodland owner, yet it may be relatively little to pay for the protection of scenic values. To illustrate the potential advantage of subsidizing such scenic management practices, let me outline its advantages over public acquisition of visually sensitive lands:*

1. *It maintains much of our private forest lands as resource lands...*

continuing to produce needed wood and fiber.

2. *It keeps forest lands on the local tax rolls.*
3. *Over the long-run, it would allow the landowner to receive the same income.*
4. *It costs less because it avoids the cost of acquisition and ongoing public management and upkeep.*

I trust that your committee will give this approach some study. Current forest practice regulations in Oregon and Washington provide no protection for scenic values. If enacted, such an incentive program could protect the public interest in scenic areas such as the Gorge while allowing ongoing forest management. It may be one way to help strike an equitable compromise for Gorge protection.

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[1] *"Determining the Cost of Visual Management Practices in North Idaho," Kathleen J. Snow, landscape architect, Idaho Panhandle National Forest, Coeur d'Alene, Idaho.*

Kathleen J. Snow
Landscape Architect
Idaho Panhandle National Forests
1201 Ironwood Drive
Coeur d'Alene, Idaho 83814

DETERMINING THE COST OF VISUAL MANAGEMENT PRACTICES IN NORTH IDAHO

Since the early 1970's, the Forest Service has been using landscape management techniques to protect scenic values in sensitive recreation areas. Concern is often expressed about the benefits and costs of managing visual and other non-market resources. Although such benefit and cost values are being indirectly modeled in the Idaho Panhandle's Forest Plan, no study has been made of the actual on-the-ground costs of visual management practices.

In this project, a number of methods for establishing values and costs for non-market resources were reviewed. Methods for establishing benefit values were determined to require time, data and expertise which were not presently available on the Forest. Instead, a breakeven cost approach was selected to evaluate visual management practices. This approach analyzes the difference in present net value between two alternative regimes, one of which includes visual management and one which does not. The difference in PNV is converted to an equivalent annual cost per acre. This figure can then be considered as the minimum benefit users would have to receive from the visual resource in order to balance costs.

A data collection form was designed, tested and revised. The revised form was used to collect data from eight Districts for sixteen sample timber sale areas. From this data an average annual cost per acre for visual management on the Idaho Panhandle National Forests was determined. Data was also broken out by recreation composites and an average cost per Recreation Visitor Day (RVD) was calculated for those areas.

Data from this study is now being used to check cost outputs being generated for the Forest Plan. A modification of the data collection form is being incorporated into the monitoring plan for the Idaho Panhandle National Forests.

This approach can be used by forest planners, recreation staff or landscape architects as a means of monitoring management costs, evaluating allocation decisions, and checking FORPLAN outputs.

V. SUMMARY AND CONCLUSION

The costs associated with landscape management on timber lands is a factor which should be considered in Forest decision making. This study was designed to establish a range or average cost which could account for both the direct management costs and the long-term opportunity costs involved in modifying timber sales in sensitive recreation areas. A review of various methods of deriving benefits and costs of similar non-market resources was conducted. A break-even cost analysis was selected as best suited to the objectives and data limitations of the Forest. A data collection method was devised, tested and modified.

The resulting data from 16 sample timber sale areas was analyzed and the difference in present net value attributed to visual management was derived and expressed as an equivalent annual cost per acre. The average cost for the Forest was $9.69/ac/yr and the median $7.08/ac/yr.

These values are higher than those reported by Fight and Randall for middleground partial retention in Douglas-fir sites ($4.12/ac/yr in 1978 dollars). This may in part be due to two factors: the inclusion of both retention and partial retention within the Idaho Panhandle National Forests' sample and the use of real rather than timber planning data which includes liquidation of presently existing old-growth stands.

The inclusion of both R and PR is unavoidable when using whole sale samples, however, both analysis by VQO and by distance which partially reflects R/PR differences show a distinct difference in cost. Sales where over half the area is in retention have an average cost of $16.69/ac/yr whereas sales in partial retention average $6.50/ac/yr.

There is an apparent cost increase when dealing with old-growth timber. Sales with 1/3 or less area in timber over 160 years of age have an average cost of $5.33/ac/yr while sales with over 1/3 of the area in old-growth average $13.08/ac/yr. This includes the single sample with over 2/3 in old-growth which had an annual equivalent cost of $40.60/ac/yr.* This was the highest value obtained in the study and nearly double the cost of the next nearest sample. Fast liquidation of large diameter old-growth in timber alternatives appears to account for much of the difference in revenues in some sales. This could be considered an one time cost for visual management as future timber rotations will be limited to smaller diameter material. The timber alternative used in this sale was not constrained by an existing old-growth policy. If such a policy is applied in the Idaho Panhandle National Forests' Forest Plan, the relative cost of visual management may be expected to decrease.

While statistical significance was not determined for the differences in physical and perceptual factors, some general trends can be observed. Areas in hemlock/pachistima habitats with slopes over 40% and a high percentage of old-growth will show higher visual management costs. In terms of perceptual variables areas with multiple observer positions, low visual absorption capability and lying closer to the observer will show higher costs. The effect of multiple resource constraints on the Forest may result in lower costs being attributed to each individual resource within the total cost.

The average cost per acre per recreation visitor day appears to be reasonably low. More costs are involved in higher use areas so that the cost per RVD is relatively stable.

One purpose of this study was to evaluate the accuracy of visual management costs as they have been modeled in FORPLAN on the IPNF. The cost of meeting visual objectives was simulated by using shelterwood harvest regimes in visual prescriptions. While shelterwoods were rarely used on the ground it was assumed that the costs would be equivalent to those incurred by designing small, shaped clearcuts.

*This sample was monitored through the sale process and was overbid by the timber purchaser 1261%. This may indicate that this sample is not valid in terms of cost data or species mix. If this sale were removed from the study, average Forest cost for visual management drops to $7.63/acre/year and the median to $6.74/acre/year.

REFERENCES CITED

Adams, Darius M., and Haynes, Richard W., "The 1980 Softwood Timber Assessment Market Model and Structure Projections and Policy Simulations", Unpublished report on file at the USFS Pacific Northwest Forest and Range Experiment Station, Portland, Oregon, 1979.

Beardsley, Wendell, Economic Value of Recreation Benefits Determined by Three Methods, USDA-Forest Service Research Note RM-176, 1970.

Beardsley, Wendell, Schweitzer, Dennis and Ljungren, Douglas, "Measuring Economic Costs of Wilderness Land Allocation", in Outdoor Recreation Advances in Application of Economics, USDA-Forest Service General Technical Report WO-2, 1977: 140-153.

Burch, William R. Jr., "Resolving Stress in Human Society: Some Traditional Roles of Forests and Forestry", in Economics of Recreation. Forestry and Human Environment. Congress Group 2, Proceedings, Division IV (Planning, economics, growth and yield, management and policy), SVI IVFRO World Congress, Oslo, Norway, June 20-July 2, 1976: 100-109.

Burch, William R., "The Social Meanings of Forests", The Humanist, November/December 1979, 39-44.

Burk, Dale A., The Clearcut Crises, Jursnick Printing, Great Falls, Montana, 1970.

Calish, Steven, Fight, Roger D. and Teeguarden, Dennis E., "How Do Timber Values Affect Douglas-fir Rotations?", Journal of Forestry, 76(4), April 1978: 217-221.

Carroll, M.R., "Amenity Forestry and the Economic Behavior of Land Owners", The Forestry Chronicle, October 1977: 271-274.

Clawson, Marion and Knetsch, Jack L., Economics of Outdoor Recreation, Johns Hopkins University Press, Baltimore, Maryland, 1966.

Duffield, Brian S. and Owen, M.L., "Forestry Policy - Recreation and Amenity Considerations", Scottish Forestry, 27(2), 1973: 114-134.

Dwyer, John F. and Bowes, Michael D., "Benefit-Cost Analysis for Appraisal of Recreation Alternatives", Journal of Forestry, 77(3), 1979: 145-147.

Dwyer, John F., Kelly, John R. and Bowes, Michael D., Improved Procedures for Valuation of the Contribution of Recreation to National Economic Development, University of Illinois, Water Resources Center, Urbana, Illinois, 1977.

Dyer, A.A. and Hof, J.G., "Comment on Benefit-Cost Analysis for Appraisal of Recreation Alternatives", Journal of Forestry, 77(3), 1979: 147-148.

Ellerbrock, Michael, "Some Straight Talk on User Fees", Parks and Recreation 17(1), January 1982: 59-62.

Fight, Roger D. and Randall, Robert M., "Visual Quality and the Cost of Growing Timber", Journal of Forestry 78(9) 1980: 546-548.

Haakenstad, Helge, "Forest Recreation Research and the Public Forest Policy in Norway" in Trees and Forests for Human Settlements Proceedings of Papers presented during P1. 05-00 Symposia in Vancouver, B.C., Canada, June 1976.

Hultman, Sven, "Urban Forests in Sweden" in Trees and Forests for Human Settlements Proceedings of Papers presented during P1. 05-00 Synposia in Vancouver, B.C., Canada, June 1976.

Johnston, Warren E., and Elsner, Gary H., "Outdoor Recreation as a Sector for Economic Development" in Economics of Recreation. Forestry and Human Environment. Congress Group 2 Proceedings, Division IV (Planning, economics, growth and yield, management and policy), XVI IVFRO World Congress, Oslo, Norway, June 20-July 2, 1976: 110-121.

Kemper, R.E. and Davis, L.S., "Costs of Environmental Constraints on Timber Harvesting and Regeneration", Journal of Forestry 74(11) 1976: 754-756.

Leaird, John, "What is the $ Value of Aesthetics?", Florida Naturalist, February 1972: 18-21.

Lundgren, Allen L., Cost-Price: A Useful Way to Evaluate Timber Growing Alternatives, USDA Forest Research paper NC-95, 1973.

Okamoto/Liskamm, Appearance and Design: Principles for Design and Development of San Francisco Bay, Bay Conservation and Development Commission Background Report #29, San Francisco, 1967.

Public Opinion on Environmental Issues. Results of a National Public Opinion Survey. Council on Environmental Quality, Department of Agriculture, Department of Energy, Environmental Protection Agency, U.S. Government Printing Office, Washington, D.C., 1980.

Reimold, Robert J., Hardisky, Michael A. and Phillips, Jeannette, "Wetland Values - A Non-consumptive Perspective", Journal of Environmental Management 11, 1980: 77-85.

Rickard, W.M., Hughes, Jay and Newport, Carl A., Economic Evaluation and Choice in Old Growth Douglas-fir, USFS Research paper PNW-49, 1967.

Skow, John, "Joe Horvath is Adding Up Your Dollars of Happiness", Outdoor Life, March 1977: 66-192.

Tlusty, Wayne G., North in the 1980's: Landscape Aesthetic Values, University of Wisconsin - Extension 1979.

Yanagi, Soetsu, The Unknown Craftsman, Kodansha International Ltd., Tokyo, 1972.

Senator **Evans**. Thank you, very much. That is very interesting.

Mr. **Adlard**. Incidentally, there's a listing of 16 research studies, an excellent cost study that was just completed in Idaho attached to yours, and then I brought along some of these things to let you know that there are guidelines established.

Senator **Evans**. Good. That is very helpful. Thank you, very much.

Vera Dafoe.

STATEMENT OF VERA DAFOE, FORMER MEMBER, OREGON COLUMBIA RIVER GORGE COMMISSION

Ms. **Dafoe**. Senator Evans, my name is Vera Dafoe. I'm a former member of the Oregon Columbia Gorge Commission. Today I'm speaking about the structure of the two gorge commissions and what their role has been in the land use planning going on in the gorge.

The five members of the Oregon Commission and six members of the Washington Commission are appointed by their respective Governors. All Washington commissioners and three of the Oregon commissioners must live in the gorge and represent the counties in the gorge. Two of the Oregon commissioners can live anywhere in the State, but they're ordinarily gorge residents, too.

Customarily, in Washington the candidates for the commission are recommended by the county commissioners to the Governor. In Oregon, the appointments are political by the Governor, he chooses them. In neither State are there requirements that the candidates have any experience or skills in land use planning, any knowledge of gorge issues or any other particular expertise.

Gorge commission literature gives lip service to the concept of one gorge, and this is the rule they try to live by. But, it doen't work that way. What is best for the gorge is lost in their deliberations because the commissioners are pressured from their own districts by their county commissioners and by special interests for both the county and State they live in.

By statute, the structure of the gorge commissioners is advisory. They have no actual authority. The advisory statements of the commissions are used by the Governors, county commissioners, loggers, developers, gravel pit operators, and so forth, when those positions suppport their views. But when the gorge commission positions are different, then they're ignored and dismissed by these same people. Again, they have no real authority. Further, some of the members have been subjected to scrutiny and belligerence in their own communities when they don't toe the line.

The very structure of the Columbia River Gorge Commissions hampers their effectiveness because they become politicized, and they would be even more so if they had any real authority. As it is, the gorge commission members represent some individuals from their counties, but seldom do they represent the concept of the one gorge. Therefore, every decision made by the gorge commissions is a weak compromise. The commissioners tend to become deadlocked and ineffective in their advisory role. Nobody really wants their advice.

The lesson to be gained from an analysis of the structure of the gorge commissions is this: Commissions have not and will not work in the Columbia Gorge. What is needed is an entity such as the Forest Service or the National Park Service which is removed from the local, short-term, economic interests championed by the gorge county commissioners.

Thank you.

Senator EVANS. Thank you, very much.

Kate McCarthy.

STATEMENT OF KATE McCARTHY, HOOD RIVER COUNTY, OR

Ms. MCCARTHY. Thank you, Senator Evans. My name is Kate McCarthy and I am a resident of Hood River County. I am also a farmer. I feel, contrary to Rita Swyers, that this bill would really increase the protection of the farming areas rather than be detrimental to farming.

I feel that a good deal of my written testimony has been covered, so I may wander around just a little bit.

Local control is not a plan for protecting and managing the gorge. It commits us to crisis-to-crisis confrontation and not working together of the local, State, and Federal levels which I believe is necessary for the proper management of the gorge.

One thing that hasn't been particularly brought up, I feel, is we talk about protection of the gorge, and I think the use of the gorge, management for the use of increasing numbers that are coming to the gorge is a factor I don't think we've dwelled on.

I think there are weaknesses on the Washington side because there are not the number of parks there are on the Oregon side. There is a possibility that the private land could become a wall of private estates without access to the river. I think this is an important factor in the use and management of the gorge to make it possible for the Washington side to share the heavy use the Oregon side now has. Our parks are very crowded and our trails are crowded, and I feel that to have a balanced management on both sides there needs to be a single unit management of the gorge, with the three levels cooperating.

It's time to stop talking about protecting the gorge and finally do it so that all of this confrontation can cease and we can work out a plan. I believe if we could sit down together, hopefully we've accomplished something today, and that your Federal effort on this can bring the thinking of the different factions in the gorge closer together. I don't think there's as much difference in the outlooks as people would like to make out, because I think everybody does want to see the gorge protected.

I do support a bill similar to the Packwood bill. Putting management of the gorge in the hands of local control, subject to local pressure, will leave the future of the gorge up to chance, to the political climate and how the political winds blow. This does not ensure a good plan or lasting protection.

I have served both on the Oregon Columbia Gorge Commission and on the board of the Mid-Columbia Economic Development District and have viewed firsthand the imbalance between the present weak powers for protection and the great power for development and special interests in the gorge. A formidable array of chambers of commerce, port districts, development-oriented county commissioners, economic development disticts, timber, real estate and land development, and business interests powered by money operate at the local level. I do not mean to imply that these interests do not have a vital and needed place. What I am saying is a balance for the necessary portection of the gorge is not likely to be realized by placing it in the hands of the local business-political leadership. Historically, it can be documented that in protecting large landscapes, local control does not have a good track record.

I'll skip along down here for the sake of time.

In any plan for the gorge, there must be a strong Federal role, both to provide funding the States and counties won't and can't, and to oversee the local State-Federal partnership to ensure that the purpose of the legislation is accomplished. We have spent billions of dollars of Federal money in effort and involvement in the gorge for exploitation and resources. I do not feel it is un-American to spend a few bucks of Federal money and effort and involvement for protection of some of what is left. We owe it to the gorge, ourselves, and to future generations.

[The prepared statement of Ms. McCarthy follows:]

Kate R. McCarthy
9095 Cooper Spur Road
Parkdale, Oregon 97041

Dear Senator Evans;

I am sending my testimony from the November 8th hearing on the Columbia River Gorge.

I am enclosing a photograph and a copy of a letter written by Governor Victor Atiyeh in May 1981 to members of the Oregon delegation. It gives the background of his concerns for the Gorge and mentions an in depth study he asked Joan Smith and Borden Beck to carry out – and outlines his main points for a plan for the Gorge. Legislation was drawn up on the basis of these points which I believe are sound (though the governor's opinion may have change)

Agreement on Scenic quality of the Gorge
Urgency for protective action
Need for Federal, state, and local partnership
Need to maintain role as major transportation corridor
Need to promote economic viability of urban communities
    communities exempt so as not to hamper economic development in any way
Single management – overall plan
Identification of critical areas.
Existing homes and businesses protected
Substantial local participation
Forest Service lead agency
Mechanism for appeal
Funding – planning and implementation
limited power of eminent domain

Kate R. McCarthy
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Parkdale, Oregon 97041

It is unfortunate so much misunderstanding exists about scenic area legislation. It does not attempt to create a National Park or even a National Recreation area but rather a newer concept of a National Scenic Area (leave out the "National" if it makes some people feel better) designed to protect and manage an area already having considerable development. There is no attempt to convert back to a pristine state. No one is to be bulldozed of their land. Communities are exempt so that economic development can proceed unhampered. Every effort has been made to explain this. Perhaps there is a way to make it more clear. Willing sellers zoning, scenic easements etc. should over time provide protection.

Protection of the beauty, I believe, will be more of a plus than a minus both to residents of the Gorge, and to community economic development.

It is unfortunate that scare tactics used by Charles Cushman (and others) have disrupted efforts for coöperation by all interests. I have sat through one of his sessions, preaching hate and fear. They distort the truth and bear no relation to what anyone wants for the Gorge.

Local control is not a plan for protecting and managing the Gorge. It is not a plan at all. It leaves the Gorge to the mercy of 50 plus agencies and government entities, often going off in different directions without "consistency" and taking into account cumulative

Kate R. McCarthy
9095 Cooper Spur Road
Parkdale, Oregon 97041

effects. It commits us to crisis to crisis confrontation - not a working together on a partnership basis of the local, state and federal levels.

I am enclosing a photograph I took while serving on the Oregon Columbia Gorge Commission. (Test center Bingen on Washington State scenic highway 14) It typifies the essence of why local control is inadequate both to protect and manage the Gorge. Surely the splendors of the Gorge could and should be used to better advantage. Both George Washington and Lewis and Clark are viewing with concern.

Sincerely

Kate McCarthy

former member of the Oregon
Columbia Gorge Commission

VICTOR ATIYEH
GOVERNOR

OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM, OREGON 97310

May 28, 1981

F.Y.I.
FOR YOUR INFORMATION
May 28, 1981
From
Oregon Governor's office
Communications

THIS IS THE TEXT OF A LETTER
SENT BY GOV. VIC ATIYEH TO
MEMBERS OF THE
OREGON CONGRESSIONAL DELEGATION

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Like others, I have long valued the scenic and historic values of the Gorge. I feel a great sense of urgency to assure those who follow us on this earth the same great splendor we now enjoy. There is a great need now to secure that heritage.

I had hoped that local governments on both sides of the river might be able to do an adequate job. I am convinced that they, by themselves and without support, are not now able to do it on their own.

I had thought, originally, that a bi-state compact might be quickly established to do the necessary job, but I have come to realize that the process of obtaining such a compact, which would be satisfactory to all parties involved, would be very time-consuming. While I will continue to work with the state of Washington, if it desires to pursue that effort, I am not convinced that we have that much time. The Washington Legislature has created a Select Committee to review the need to preserve the scenic values of the Gorge and ways and means of accomplishing such preservation. I intend to appoint a similar group in Oregon to cooperate with the State of Washington in its effort.

I have asked Joan Smith and Borden Beck to make an in-depth study for me. They have done an outstanding, professional job of contacting interest groups and individuals, providing me with their report and alternatives for a solution to a widely accepted goal.

A great amount of thought is being given to the scenic protection of the Gorge by many interested, knowledgeable and responsible citizens and, I believe, we have a fairly general

Attmt. 25

consensus that strong protective actions need to be taken immediately. Further, that growing consensus seems to favor a federal, state and local partnership with a certain degree of federal leadership.

To bring this partnership about and to do it most expeditiously, will, I believe, require federal legislation. Let me reiterate my position: I have not changed my goal, but I have modified my thoughts as to how that goal might best be quickly achieved. I am prepared to pursue both avenues of relief, intensively, and to support any effort that is made which shows likelihood of achieving the goal.

After studying the views of a wide variety of interested parties, I am convinced that there is general agreement that the Gorge's scenic quality needs to be protected while maintaining its role as a major transportation corridor and promoting the economic viability of its urban communities. I urge that the objective of any federal legislation that is proposed incorporate that premise.

I hope, in your efforts to address the Gorge, you will take into consideration the following suggestions.

I believe that the Gorge must be considered as a single management unit. One workable, manageable and forceful overall Gorge plan (with criteria and standards for incorporation into local plans) needs to be developed to protect the scenic, cultural, historic and botanical values.

As I indicated earlier, there is a growing consensus that federal, state and local governments all have legitimate interests and concerns in the area. I believe that there is a need for partnership in planning to protect the Gorge.

I believe that rational boundaries for Gorge management must be drawn. Urban areas should be excluded. Critical areas, which make up a relatively small percentage of the total area, must be identified. This may well be the first task of a Gorge planning group.

Existing homes and businesses must be protected.

The single unit management concept must be developed with substantial local participation both (a) in drawing up an overall Gorge plan with its criteria for incorporation in local plans, and (b) in the adoption and administration of the local plans. I believe that a Gorge planning team should consist of representatives of local governments (i.e., counties in the Gorge), the two state governments and a lead federal agency.

While I have a high regard for both the National Parks Service and the U. S. Forest Service, in this instance - because of its large ownership in the Gorge and its already well-established good working relationships with people and local government in the Gorge - I believe the appropriate federal agency should be the Forest Service. Its charge should be to develop, with the other Gorge planning team members: (a) the overall Gorge management plan; (b) the criteria for critical areas requiring special scenic management; (c) criteria for preservation of historical, botanical and recreational resources; and (d) the criteria and standards for incorporation in local plans. Its large land holdings in the Gorge and its expertise in timber management, scenic preservation and historical interpretation make it the logical candidate for this responsibility.

In order to insure that the Gorge is managed as a unit and in a way in which does not pit one state against the other, I believe the federal agency must be the focus for appeals and have authority to review and approve the local plans.

Local governments should administer their own plans with right of appeal to the Gorge Planning Unit and to the Secretary of Agriculture.

There should be adequate funding, not only to carry out initial overall planning and development of criteria, but also to assist local governments with the development of their own plans. The federal agency responsible for implementation of the overall Gorge plan must, I believe, have land acquisition authority, where appropriate. It should also have very limited power of eminent domain, but only in critical areas threatened by inappropriate development, which could defeat the intent of the enabling legislation.

Provisions in enabling legislation should be made to permit in the future (i.e., after the management plan for the Gorge is completed and in place, and the local plans thereunder adopted and approved), the establishment by interstate compact of a form of management authority to which could be shifted the authority and responsibilities of the federal lead agency and the Gorge Planning Unit.

I look forward to working with the Delegation in this matter and hope we will be able to arrive at a regional consensus that is sensitive to the particular needs of both states and to the local citizens involved, while taking into consideration the national interest in the Gorge.

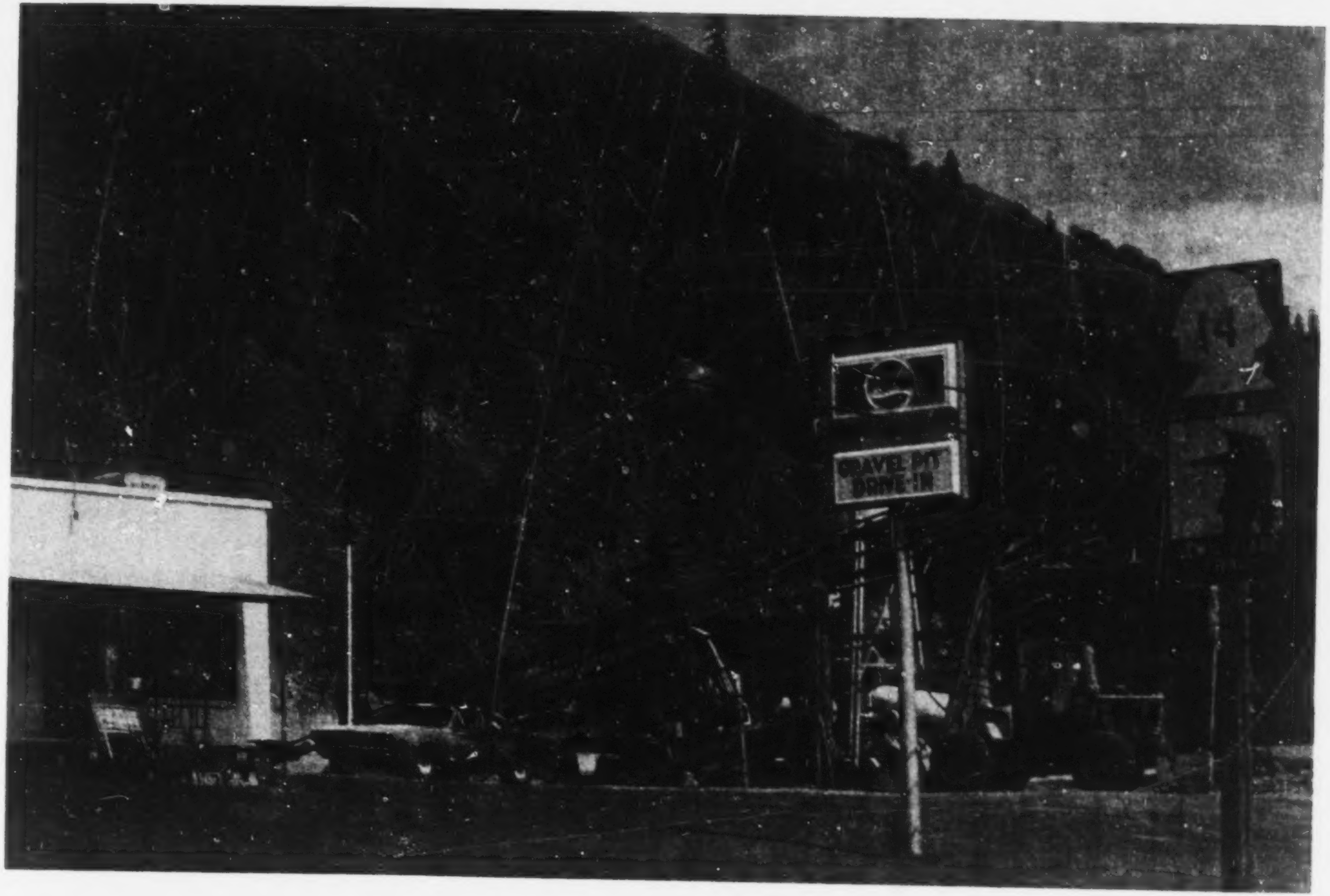
Sincerely,

Victor Atiyeh
Governor

VA:ah

cc: Oregon and Washington Gorge Commissions
Governor John Spellman

Attmt. 25



14
GRAVEL PIT
DRIVE-IN

My name is Kate McCarthy and I am a resident of Hood River County.

It is time to stop talking about protecting the Gorge and do it - now - not with a bill that gives lip service but with a bill that will give the lasting protection to this National resource that so many have wanted for so long S. 627. The other bill does not ensure protection but rather politization. Putting the management of the Gorge in the hands of a locally controlled commission subject to local pressures will leave the future of the Gorge up to chance - to the political climate and to how the political winds blow. This does not ensure either a good plan or lasting protection.

I have served both on the Oregon Columbia Gorge Commission and on the Board of the Mid-Columbia Economic Development District and have viewed first hand the imbalance between the puny powers for protection and the jugernaught of development and special interest in the Gorge. A formidable array of Chambers of Commerce, Port Districts, development oriented County Commissions, Economic Development Districts, timber, real estate, land development, and business interests, powered by money, operate at the local level.

I do not mean to imply that these interests do not have a vital and needed place. What I am saying is that a balance for the necessary protection in the Gorge, if we are indeed serious about saving some of what is left of the essence of this special place, is not likely to be realized by placing it in the hands of the local business - political leadership. Historically, it can be documented that in protecting large landscapes, the local powers are more part of the problem than part of the solution.

The bi-state commission, formed by California and Nevada to protect and manage the Lake Tahoe area, is a clear example. With six of its ten members representing local interests, the Commission approved 96% of the new housing units and every hotel and casino that came before it. Bringing it closer to home, one Gorge Commissioner has remarked about problems on the Washington side "They are giving away the country without any regard to what will come in the future - Our worst fears of 1980 are coming true as we predicted."

I have also witnessed first hand, with the question of my own reappointment as well as that of others, pressures brought by the business-political leadership against appointment to the Gorge Commissions of strong voices for protection of the Gorge. Another example of this pressure is reflected in the letter by Skamania County Commissioners, earlier this year, asking Governor Spellman to disband the Washington Gorge Commission. Certainly there must be a local voice, but not total local control if we are to protect this National resource.

In any plan for the Gorge there must be a strong Federal role both to provide funding - (the states and counties won't and can't) - and to oversee the local-state-Federal partnership to ensure that the purpose of the legislation is accomplished.

As a Federal taxpayer I want to be assured that my tax dollars, used to provide permanent protection of the Gorge, accomplish that purpose and are not used to set up what would become just another development commission.

We have spent billions of dollars of federal money and effort and involvement in the Gorge for exploitation of resources. I do not feel it is un-American to spend a few bucks of Federal money and effort and involvement for protection of some of what is left. We owe it to the Gorge and to ourselves and future generations.

Introductory documentation

Two Approaches to State Subdivision Conrol : Richard M. Ross
Planning Implementation:
US 507H
May 30, 1978

p. 2 B. The Failure of Local Controls

" Since the 1920's local governments have had the major responsibility for planning and zoning, but conventional planning practices have been slow to filter into rural governments. Many rural governments have not had the sophistication or expertise to take a hard look at land development -- the rural land boom has caught many local governments totally unprepared "

p. 3 " Deschutes County, Oregon, is a classic example of the failures of local regulation. No planning commission, zoning or subdivision regulations existed here until 1970. In 1960 Deschutes County was a sleepy ranching and timber area with 2 million acres and 23,000 people. Between 1960 and 1970 two thirds of the private land in the county was subdivided into 20,000 lots, 14,000 of these as recreational subdivisions. Many of those who bought the so called recreational lots came to stay. The county mushroomed to 41,800 by 1976, with 70% of this growth taking place in unincorporated areas. To accomodate the newcomers, mobile homes and trailers have sprawled into rural areas, so that now about 1/2 of the county is housed in them " - - - - -

p. 14 " In May 1977, Deschutes County approved 1,120 new acres of recreational subdivisions in the La Pine area, which already has 11,000 lots, 16% of which are occupied "

55%

p. 3 " Local controls have failed also due to economic and political pressure. In 1974, Klamath County, Oregon, was infamous for its "bootleg" subdivisions, which neither complied with Federal, State, and county requirements. Thousands of lots were sold in unapproved plats by unrecorded contracts, with questionable sewage permits and no disclosure reports. Realtors and developers pressured the county to fire a DEQ sanitarian who refused to rubber-stamp septic tank approvals. To top it off, two members of the County Planning Commission held interests in recreational subdivisions,"

p. 4 "The local zoning ordinance -- has proved woefully inadequate to combat a host of problems of statewide significance (regional) Bosselman & and the American Law Insitute (Model land Development Code) argued for the creation of new state and regional authorities that would have some jurisdiction over large scale developments, activities of statewide concern, and critical environmental areas. Many states have now created programs along these lines. — The abuses of the rural land boom and the failure of local control have been catalysts to State action -"

The paper then goes on to discuss 9 approaches that states have taken to land use controls including Oregon and LCDC.

Local control has failed in many instances to protect the oregon coast. From the June 1981 issue of Oregon Shores this excerpt. p. 1

"What is proposed here is a subdivision on an active landslide area south of a headland on the Newport beach known as Jump off Joe. This area subsided cataclysmically in March 1942, when an area 200 ft wide by 1000 ft long dropped some 50 ft. destroying 15 homes -- the landslide activity antiguous -- on this building site the developers plan to build a 39-unit subdivision named Beachland Estates. Approxiamately seven acres has been cleared of all vegetation by bulldozers and shovels. This site was once the most scenic landmark within the city limits of Newport. It was an area of sandy vegetated hummocks, tall windswept shore pines; and paths through the native salal -- few imagined that anyone would attempt to develop such an unstable piece of real estate ---

p.2 "Beachland Estate subdivision proposal first came before the Newport Planning Commission on March 9 of this year and the City Council approved a tentative plan for development on April 27."

Local and state efforts have been unable to manage protection of the historic and picturesque landmark

p.3 Yaquina head. Efforts are proceeding for Federal help on this project after years of local and state attempts. Meanwhile the rock-smasher goes on uninterupted — reducing picturesque Yaquina Head to rubble.

Rizor exampl

The lists are endless. Developers are often powerful and persuasive. The Oregonian states in an editorial (Aug 8-1976 ~~when~~ during one of the many public depates on LCDC) "The reason state guidelines are necessary in California and Oregon is that local planning has been a miserable failure in most areas of the two states. The results of this failure are clear for anyone to see. Elected officials at the local level have been unable to resist the pressures of special interests, nor have they had the money and manpower to do a proper land use planning job in all cases."

Oreg Feb24 1974 p. 17
Keys become focal point of inadequate Florida Plan for Growth

--"In opening the way to massive development in the sparsely-populated keys, local officials brushed aside objections from state planners and raised serious questions about their own regulatory role over such environmentally-sensitive areas, ---
"The Keys are faced with complete destruction at the hands of commissioners who are just completely unresponsive to the people," said Don Schloesser, president of the Upper Keys Citizens Ass. which supports state-imposed zoning."

To quote from Kimbark MacColl "Shaping of a City"

p.6 "The inability or unwillingness of the business-political leadership to distinguish between two antagonistic interests - the public and the private" is pointed out as a common occurence.

p7 "Portland, as with the rest of Oregon, had long experienced a tradition of personalized politics. The decisions reached were based more on the personal relationships involved than on the intrinsic merits of the issue."

(This book is an interesting picture of the business-political forces shaping the growth of Portland)

Personalized politics is still with us. Local politicians become "captured" by or are the developer-business interests. The process of protecting the public interest is not well developed or understood in land use decisions at the local level, in many cases. The track record is exceptionally poor and each mistake becomes a record on the landscape. Citizens struggling to protect something or implement a rational land use plan are often snowed by powerful forces.

I am a firm believer in local control for a broad range of public affairs. But local control has not done well generally in land use controls and local control alone is a weak vessel to put our hopes in for the lasting protection of the Gorge

Issue of "Taking"

Courts have upheld land use planning + zoning again and again - - "That a zoning is not a taking." If any conceivable use exists for property under the regulation, no taking occurs. The Oregon court of Appeals seems to have taken this stand.

Another view says that regulation never constitutes a taking. This view is prevalent in Wisconsin, and Maine. According to Ed Sullivan (prominent land use attorney) this view is probably where the trend is leading and is probably correct. Oregonian article

Another Study (The Effect on Multnomah and Hood River counties of the Proposed Federal Acquisition of Lands in the Columbia Gorge Recreation Composite (prepared for the Forest Service by Zoe Anne Alvington Aug. 30 1975)

If you do not have available this Forest Service study on the effect of Forest Service acquisition of lands it might be instructive. It shows p. 20-22 - any loss in tax revenue from Fed acquisition would be more than made up by more efficient land planning

HUD study - save up to ~~half~~ 50% in tax money with efficient planning

PUBLIC ATTITUDES ON LAND USE IN THE GORGE:

RESULTS OF COLUMBIA GORGE QUESTIONNAIRE

Sent to all households
by The Hood River County
Pl[illegible]. Dept.

COLUMBIA GORGE QUESTIONNAIRE ANALYSIS

One question asked "If housing is permitted, which type should be allowed?" The responses to this question revealed no clear pattern. Most people who answered this question seemed to favor low density housing: 122 people thought single-family dwellings on five acre lots could be permitted; 119 people thought single-family dwellings on 20 acre lots could be permitted; 104 people thought single-family dwellings on 2 1/2 acre lots would be all right. Fewer people favored single-family dwellings on 1/2 acre lots or in planned unit developments (cluster-type housing).

Seventy six percent of the returns said the County should approve the State or Federal acquisition of private lands in the Columbia Gorge for scenic protection and/or recreational opportunities if the landowner desired to sell voluntarily. Eighty four percent of the westside area respondents were in favor compared to fifty eight percent in favor for the Cascade Locks households. All areas gave a favorable response to the question.

In the early days of Oregon's LCDC when the
Commission travelled the state talking to the citizens
about their concerns in Land use – The Columbia
River Gorge was at the top of the
list of areas of critical concern

Those people who answered "yes" to the question about County approval of government acquisition of private lands for scenic protection and/or recreation opportunities were also asked to answer an additional question. This question asked what should be emphasized in management of the acquired lands - scenic protection or recreation use. A clear majority of the people responding to this question favored a management strategy that would emphasize both scenic protection and the provision of recreation opportunities.

All area respondents overwhelmingly favored scenic protection/open space as the most appropriate land uses for the Columbia Gorge Planning Unit. In general, outdoor/forest/recreational, rural residential and farm were the next preferred choices.

The respondents generally placed commercial and light industrial as the least appropriate land uses for the Columbia Gorge

Columbia Gorge United

Protection of the Gorge is not on there agenda

Gorge Notes March 1983

(Gorge Commission newsletter)

NEW GORGE GROUP TO SPEAK

Genevieve Garwood, Executive Director of Columbia Gorge United, will make a presentation before the Gorge Commissions at their March 2 meeting in Stevenson.

The Stevenson-based citizens group has adopted the following statement of purpose, according to a January 1983 newsletter:

1. To establish a central organization for protecting the people of the Gorge from federal control;
2. To coordinate a united effort;
3. To produce a solid lobbying effort;
4. To organize a state and federal movement;
5. To educate the public about the Gorge and how the issue affects them; and
6. To allow the citizens of the Gorge to decide what is best for them.

Protection of the Gorge is not on their agenda

Oregonian

SDAY, AUGUST 17, 1983

Gorge panels urge moratorium on development

By JEANIE SENIOR
Correspondent, The Oregonian

STEVENSON, Wash. — The Skamania County Commission should put into place a moratorium on all development in unincorporated areas of the county until a zoning ordinance is adopted there, the Oregon and Washington Columbia River Gorge commissions said Tuesday.

In a discussion sharply critical of the county's land-use controls — or lack thereof — gorge commissioners told their executive director, Jeffrey Breckel, to deliver the strongly worded recommendation in person to county commissioners.

Gorge commissioners unanimously voted for the moratorium after a discussion of George Rizor's 21-lot Columbia Gorge Riverfront Estates, across the river from Multnomah Falls. But they also directed that the recommendation be attached to their comments on two other proposed subdivisions in the county, the 78-unit Columbia Harbor development at Skamania and the [illegible]-unit Constant Oak subdivision on Underwood Mountain at the east end of the county.

Initially, commissioners discussed asking the county to "consider" putting the moratorium in place.

But Joan Smith, an Oregon gorge commissioner, objected. "They can consider it for another decade," she said. "What we are seeing is de facto [illegible] zoning of the county."

County commissioners, Smith said, should realize that "they are giving away the county without any regard for what will come in the future."

Smith added, "Our worst fears of 1980 are coming true, just as we predicted."

Testifying before the Skamania County Planning Commission last week, Breckel called Rizor's environmental impact statement incomplete and also criticized the development's preliminary plat and protective covenants. None of the gorge commissioners' concerns were [illegible] however, when the planning commission recommended approval of the development to the county commission.

"How can they possibly pretend they are going to ask us for our input and then totally ignore everything we ask them to do?" Oregon Gorge Commissioner Nani Warren said.

Dick Adlard and Clarence [illegible], both Washington gorge commissioners, noted that although the county's planning commission chairman had asked that priority time be directed toward work on the county's yet-to-be-completed zoning ordinance, County [illegible] Robert [illegible] had said that [illegible]

"We need the numbers here today [illegible] to get that zoning done and [illegible]," said Lois Jennegard, a [illegible] who was present at the gorge meeting.

Discussing the proposed Constant Oak subdivision at Underwood, commissioners pointed to a major flaw in the county's comprehensive plan. "I can't think of a single [illegible]

[illegible] scanning the list of [illegible] in a rural [illegible] area. [illegible] would [illegible]

[illegible]

[illegible] further development "until you have the [illegible] in the gorge."

"In five years, my God, what's going to happen in this gorge?" [illegible] said.

"It's going. We're going to [illegible] upon that list," Adlard replied.

Senator EVANS. Thank you, very much.

This is probably the wrong time and even the wrong panel to ask, but earlier I think I remember some testimony perhaps from one of the Skamania County commissioners, I'm not sure, or someone early this morning on just how little of Skamania County, for instance, was even available for development. What are the real dangers, in other words, that we're facing if the bulk of it's in Federal or State ownership, what's left is either excluded because it's in incorporated communities or I presume any legislation would assign the same sort of urban growth boundaries outside those communities that they would on the Oregon side; that the rest of it, a lot of it, is so steep that it can't be built on. How much potential danger is there out there?

Ms. MCCARTHY. It's the concept, I think, of a protected gorge. I do feel that a gorge protected on one side, pristine, as the Forest Service has done a good job of on the Oregon side; but, the other side has sprawl, even though there is not a whole lot of area to develop, if it is developed in sort of a solid sprawl, it makes a completely different thing of the gorge. This is what we would hope to avoid.

I think development in the urban centers and in the urban growth boundaries is certainly the desirable place to put it. I think as the bill allows for expansion to some extent in those urban growth boundaries, the point is to make it more compact and not sprawl.

Interestingly enough, there is a study done by the Forest Service on the gorge that points out that any lack of taxing from maybe some loss of lands can be more than made up for by compact, efficient growth, the savings to the taxpayers of having compact, efficient growth rather than sprawl.

Senator EVANS. However, is there likely to be any conceivable community in this area of Skamania County that, even at its maximum sprawl, if you will, is going to be as visible as Hood River is on the other side of the river?

Ms. MCCARTHY. Well, I don't think I'm the one to be answering the questions about Skamania County.

Senator EVANS. I'm asking the wrong questions, perhaps, but——

Mr. ADLARD. Senator, I might attempt to answer that question. No; I certainly don't believe that it would become visible like Hood River. First of all, it does not have the rolling, deep soils such as Hood River has except on our Underwood Hill. Second, of course, is the steep slopes that actually does not lend itself for clearing and for solid development.

I think the thing that worries many of us is the fact that without zoning—zoning is eventually going to come, but right now we have in Skamania County better than 400 parcels of land of 10 acres or less, and I've been involved with two different people that I've helped in relation to forestry, and they can't get clear title to their particular property even though it's recorded in the record book at the courthouse and they've paid their money, and so forth. But, when they go to pay their taxes, they can't accept the money. It's this type of a rural sprawl, with the roads and so forth that go from maybe one good home to three or four trailer homes without any building ordinance and without any zoning.

Ms. **Dafoe**. May I say a word on it, too?

Senator **Evans**. Yes, certainly.

Ms. **Dafoe**. The gorge commissions developed a plan some time back, of course they're advisory, to recommend how development, how growth should occur in the gorge. In all the areas that are already developed, where there's already housing, business and so on, the little miniurban areas already is where the growth should go. That's how the plan is developed and this is supposed to be the guidelines for development in the gorge. Most of the counties have this incorporated in their very plans.

One of the main purposes is so that you don't have higher costs to those same people for your infrastructure, for your water, for your sewer, all the rest of it. It makes more sense to have all your growth in one place, or in several places but not scattered, and the little towns, whether they're incorporated or otherwise, are the logical places for the growth.

When we're talking about these subdivisions and short platting, obviously none of those has anything to do with the guidelines the gorge commissions have been trying to convince everybody in the gorge about for a long time.

Senators **Evans**. Mr. Adlard, do I understand correctly what your proposal is on scenic areas would be, in essence, a reimbursement for the cost of practice or the potential losses in economic return to that forest land owner for managing it in a different way?

Mr. **Adlard**. Yes; this is correct, the same thing, now that the cost figures are available. At the present time we pay approximately 50 percent of the cost to the man that plants his trees according to specifications and according to the forester report, according to the forester recommendation, whether it be the DNR or the Oregon Department of Forestry, or the thinning of his trees or the removal of his trees; then why should he not be compensated for that extra expense, running all the way from $6 an acre to $19 an acre on this particular report. Incidentally, the Gifford Pinchot Forest also has studies, but to my knowledge they're not in writing yet.

Senator **Evans**. That's an interesting idea and I'm delighted to have it.

OK, thank you, very much.

Now we'd like to call our high school panel, if you'd like to come forward, and the next panel will be John Fisher, Bobbie Miller, Marilyn Misner, Barbara Vandervalk, and George Wilson.

We're delighted to have you with us, and we'll start with Shannon Hotchkiss.

STATEMENT OF SHANNON HOTCHKISS, STEVENSON, WA

Ms. **Hotchkiss**. Thank you. First of all, I'd like to thank you for allowing us to speak so we can go home and study.

My name is Shannon Hotchkiss. I am presently enrolled as a senior at Stevenson High School, and have been a resident of Skamania County my entire life.

As I researched this issue of the Columbia River Gorge, I found a controversy posing one single question: how will the Columbia River Gorge be controlled, locally or federally?

There are those who feel the Federal Government should be able to dictate what changes may occur in the gorge, and those who feel this control should be left in the hands of local administration and individual residents.

Before one decides his or her personal position, some information must be provided, exactly what areas would be affected by a national scenic area and what would the extent of these effects be? The gorge commission was established for the purpose of designating these areas, yet their most specific statement has been that some 10 percent of the gorge's 480 square miles would be affected. This is still pretty vague.

On Sunday of this past week there was a front-page article in the Columbian telling of a situation similar to the issue at hand. A Mr. John Borchert who owns a bluff-top home in the Croix River Valley bordering Minnesota and Wisconsin would love to enjoy his gorgeous view of the river, but cannot do so because he is unable to cut the few trees in front of his window whose bare branches obstruct his view. The reason he is unable to do so is because he lives in a national park. The Park Service dictates any changes such as tree cutting home design, and building height and color. These regulations were met with minimal opposition.

Why would people possibly support such a park? Because they're afraid the developmental advances on the land would destroy the natural surrounding beauty. The same fears apply right here in the gorge, but what many people don't realize is that in the last 4 years only 10 building permits have been issued along the gorge. Most of these were merely for remodeling purposes only.

If the Columbia River Gorge became a national park such as the one in the Croix River Valley, its residents would be affected in very much the same way. The Secretary of Agriculture would have the right to condemn any property which the owner refuses to sell. Legally he is permitted to spend whatever is necessary for the acquisition of this land.

If a bill justifying these actions was passed, would the Columbia River Gorge's beauty be preserved? There are many parks that have been proclaimed for their beauty, but in actuality they may be observed as an asphalt parking lot with miniature mounds of cigarette butts and ashes discarded by careless tourists who, in fact, may be on their way to the World's Fair in Vancouver, BC, as suggested by Representative King this morning. Misuse of provided facilities is ineveitable. This should be seriously considered as a factor in the preservation of natural beauty by way of a national park.

After all this deliberation, people ask the question what about our futures. Their inquiries are met with only economic impact studies and statistics that have yet to be proven. Personally, I would hate to put my future and the futures of later generations in the control of these Federal statistics.

Have we really done that bad of a job with the gorge? As Senator Zimmerman mentioned this morning, this land has survived for many years without the invasion of Federal control to dictate every move in the area, and I don't see any reason why we shouldn't be allowed to continue as we have for many, many years to come.

Thank you.

Senator EVANS. Thank you, Shannon.

Ed McClarney, Jr.

STATEMENT OF EDWARD L. McCLARNEY, JR., STEVENSON, WA

Mr. MCCLARNEY. Thank you for coming.

I'm a student at Stevenson High School, and I'm representing myself as a student and I'm not representing the student body.

I don't want to rehash any facts and figures. I want to realize what would happen to us if the gorge were turned into a national park or scenic area.

I've been living on our farm for the past 10 years. During that time, we have worked hard to make it a nice place to live. When we first moved to our farm, the hill in back of our house had been logged. Once we got settled, we held a tree-planting party. At least 50 people helped us replant our hillside. It was raining all day. They came and worked, and by late afternoon the hill had fresh seedlings all over it, starting to take hold and grow. The people were soaked, but they were having fun. They enjoyed helping us enhance our land. That is the kine of people you meet here in Skamania County.

They are caring people. They take care of their homes and appreciate the beauty of the gorge. They have worked hard and long to build a home in this beautiful country. Now their homes are threatened.

If the area were turned into a national park or scenic area, what rights would we have? Would we be able to build an extra building on our land? We would have to get permission. There would be miles of redtape and the answer would probably be no, anyway. Could we go out and cut down a tree on our own land for winter firewood? We would have to get permission. Could we even replant our hillside like we did 10 years ago? We'd probably need permission. Would we even be allowed to live in our homes whch we have worked so hard for? These scenic bills usually have condemnation clauses in them. If we weren't evicted, we'd be driven from our land by restrictions which no man should have to put up with.

Is it the American way to take from the private citizen, the working man, and give to the masses and the government? No; it is not. I've grown up with the belief that if you work hard and take care of what you've earned, it is yours and nobody can take it away. That is the American way.

This is our home. We have worked hard for it. We have taken care of it. We'd never destroy it. Don't take away what we have earned; don't take our home.

Senator EVANS. Thank you, very much, Ed.

Ralph Morasch.

STATEMENT OF RALPH MORASCH, STEVENSON, WA

Mr. MORASCH. My name is Ralph Morasch.

In the past 6 or 7 years the various groups and interests have been trying individually to decide the future of the Columbia Gorge.

In the past, the people of Skamania County have not had the leadership in local government who addressed the areas of land management, zoning or building inspections, the exception being the cities of Stevenson and North Bonneville, who have had these steps in effect. Since the interest in the Columbia Gorge arose, Skamania County now has land use planning, and is forming a zoning plan with building inspections to follow shortly.

I feel neither the Governors' nor Senator Packwood's bills are the answer. People, whether for or against, also feel neither of these bills offers the real answer to the issues.

Part of the problem with these proposed bills are that all the parties concerned were not allowed to fully be heard on the issues at hand. Meetings on both sides were purposely stacked so only what one wanted to hear was heard.

People have lived in the Columbia Gorge for over 100 years. The people living in the gorge have not destroyed it in the past, are not at the present, and will not in the future.

What I propose is that the interested parties, whoever they be, get together with positive attitudes in this area and work out a negotiated settlement. There will have to be some give and take on both sides. Instead of fighting, whether through the media or Federal legislation, it would be better to solve the problem locally.

The people of the area love the beauty of the gorge as much as anyone driving through the area. That is one of the big reasons we live here. I have lived here for the last 18 years, and truly feel the people of the gorge will work to preserve it for all times.

Only with meaningful negotiations of people to people, not lawyer to lawyer, or legislator to legislator, or Federal legislation to people can we solve this problem. They will not need the Federal Government to spend taxpayers' money or time in this area.

One final note: I feel that if the people of Seattle and Portland are allowed to have representatives involved in decisions made on the Columbia George, then we, the people of the gorge, should have representatives on the development boards for those cities to help decisions as to what will happen in their cities.

Thank you.

Senator **Evans**. Thank you.

Mary Meg Hegewald.

STATEMENT OF MARY MEG HEGEWALD, STEVENSON, WA

Ms. **Hegewald**. My name is Mary Meg Hegewald, and I am a senior at Stevenson High School. I have tried to keep this controversy of who should control the gorge in an objective perspective, just as I hope everyone else will. I am trying to approach the issue from one of the most fundamental concepts upon which this country was founded, and that is the concept of self-determination.

Our system of government is one that is made up of a Federal Government, State government, and various local governments. The principle of self-determination would be best served if local land use issues were decided by local government.

This controversy has arisen because groups of people are trying to decide these local land issues from the State or Federal level of government.

I have been told that this violation of the principle of local control of local issues is justified because of the feeling that the gorge is a unique area, that there are two States involved, and several local county governments situated in the gorge. But, I question that this uniqueness is sufficient cause to give up the principle of self-determination of local issues.

Surely there are other areas in the United States that are equally as scenic as the Columbia River Gorge and are bordered by different States and counties.

I would feel more at ease if I thought this law would apply to all scenic areas similarly situated, not to just the people of the Columbia River Gorge. If Federal legislation to control local scenic areas such as the Columbia River Gorge is an idea whose time has come, then the U.S. Congress should be prepared to enact similar controls for all scenic areas considered unique.

The question I would like this committee to consider is aren't these proposals really the forerunners to national land use planning for all scenic rural areas?

I would like to thank you for giving me this opportunity to express my views on this gorge issue.

Senator EVANS. Thank you, and thank all of you for participating and coming. In fact, Shannon, I will make sure we do get some records on what's happening in each of the counties during the course of the last several years in terms of building permits, because that is something that will help us sort out to what degree there is real development pressure and what's happening. Did those statistics come from within Skamania County or in the gorge commission area of Skamania County, or do you know?

Ms. HOTCHKISS. This was acquired in an interview with a politician from Skamania County. So, I didn't actually read that, it was given to me in an interview.

Senator EVANS. OK. Well, it reminds us to make sure we do get that information for all the counties, which would be very helpful.

Ralph, your comment that maybe gorge residents should be on the city of Seattle and Portland development boards—don't ask for that kind of a problem, you wouldn't want it. [Laughter.]

One thing, particularly in Ed's testimony, about concern over legislation, what would happen, and how it might affect people in the local community. I guess ultimately it doesn't have to be any particular thing. Even if there were Federal legislation drafted, it depends on how it's drafted. It depends on how carefully, how much consideration there is for local interests. So, it wouldn't necessarily require the kind of Federal presence that would make it almost possible for people to live in the area. I think the very fact we're having this kind of hearing is because it is really relatively unique. I'm not sure how many other areas there are where you have two States, a river, and the natural phenomenon of the gorge and so many people living there. I would guess Hells Canyon is probably close, in the sense that it's along the border of two States, it is a scenic area of unique proportions; but, it doesn't have very many people. So, it makes it a lot easier. I'm not sure the animals living there care a whole lot about land use planning.

But, this is relatively unique, and that's really why we're here, trying to find out what's the best way to act. We appreciate, very much, your testimony and your being here.

Now, in return for getting an earlier spot on the agenda, I presume now you'll all return home and dig deeply into the books for the rest of the evening.

OK, thank you, very much, for coming.

Next, I don't know how many we have of this group, but John Fisher, Bobby Miller, Marily Misner, Barbara Vandervalk, and George Wilson, come on up.

If the next panel would like to come forward, Karen Fant, Doug Jewett, Mike Kartz, Judge Marcine Miles, and Barbara Bailey.

All right, let's proceed. Mr. Fisher.

STATEMENT OF JOHN FISHER, COLUMBIA RIVER CRUISES, STEVENSON, WA, AS PRESENTED BY KRIS KELLUM

Ms. KELLUM. I'm Kris Kellum and I'm speaking on behalf of John Fisher. My husband and I are owners of Columbia River Cruises.

The Columbia Gorge is not a virgin. She was under the management of native Americans for thousands of years, but no more. When this sea-level pass through the Cascade Range became the umbilical cord to the settlement of the Willamette Valley and Puget Sound, the rape was on. Sternwheelers at the woods to the rim and virgin timber was exported. When the raw materials of fish and forest were sufficiently depleted, investors left by droves.

For nearly 80 years, the area has been ignored except to extract power from the river and speed the ground travel with the freeway. The hardy souls left behind allowed nature to restore beauty to the gorge. We have no shoreline in the gorge to protect; it was given to the railroads and the highway department. The Corps of Engineers manages the waterway, and the States and Federal Government own the majority of the land.

This control issue is directed toward about 12 percent of the outlying land which is locally controlled and, for the most part, in Skamania County. The most destructive, ongoing factor in our gorge environment at this time is the urban smog that rolls in on the west wind to obstruct the view of any onlooker.

Growth pressures are real because the economic base is in transition, and our people stay rather than chase jobs elsewhere, creating unemployment levels that are extremely high. There is a reason for this. The inhabitants of the gorge fully recognize the beauty of it and it's part of them.

If you pass Federal legislation to control development, it would cost millions of dollars which, in turn, would be subject to Federal budget cuts which, in turn, could so constipate the management of the area we would have to come back here and meet again to solve that problem.

The real threat is outside investment. There isn't enough money in the gorge to hurt itself. The need for that investment to be compatible to the beauty of this place is paramount. Present State and Federal agencies must be instructed to enforce their responsibilities rather than creating yet another agency, because the distance between Washington, DC, and Stevenson is measurable in light years only.

Skepticism runs high when the people of the gorge are confronted by Federal regulations, and rightly so. It was the Government that gave the shoreline to the railroads, dammed the river, and created powerline corridors. they even built the Spring Creek hatchery on our shoreline and painted it orange.

But, what is past is past. In directing ourselves to the future, we should use the tools we have at hand in the State and Federal economic development departments to see to it that our unemployed can go back to work in jobs which are compatible to the countinuing beautification of the gorge.

Most people are not hardy enough to spend all 12 months in the gorge. Therefore, we can't expect to become a bedroom city to either Vancouver or Portland. We will continue to be good hosts to the short-term visitors because we're proud of our area. That's why we live and work here. It certainly can't be the high wages.

The current land mangement of Skamania County is such that all building permits must be issued only after hearings. Those of you outside the area would relate this system to your variance boards. In other words, no one can build without coming before public scrutiny.

We sincerely need a friend in the Federal Government who would help discipline the agencies who presently hold responsibilities, and use your influence to revise our economy out of this depression and into security so we don't have to sell our land to survive.

Senator Evans. Thank you.

Bobbie Miller.

STATEMENT OF BOBBIE MILLER, ROWENA EXTENSION CLUB

Ms. Miller. I'm presenting this testimony as my views, but it's also the views of our Rowena Extension Club. I live lin Rowena, my address in The Dalles, OR.

I want to thank you for holding these hearings. I have attended and heard of other so-called hearings that were not true hearings.

I am opposed to Federal control, I believe in local government. I believe government is supposed to be by the people, for the people. We all want to preserve the gorge. There seems to be a conflict on preservation. No housing in the gorge would not add beauty. We do need protection. There are a few that have mismanged their properties, and they can be encouraged to clean up. The gorge was designed by God and a good amount of it is impossible for homesites.

The destroyers of the gorge in the past has been the Federal Government. Will we continue to let that happen? The only true friends of the gorge are those who try to keep it from governmental control.

We are hoping for tourists. They will need housing and food services. Will these be placed in the gorge? They will be if it is in the hands of government.

It is possible to work together locally, and between the two States for control. I served on a committee 2 years ago called the Columbia Gorge Overlay in connection with rezoning and to comply with LCDC. I asked to serve on this as I wanted to prove that it is possible for communities to govern their own lives, and felt that we could prove we could manage the gorge without turning it over to the Government. I'm sorry to say that this group got overly protective, to the point of drawing up unreal restrictions. We as residents spoke up, and we will be meeting as a group next week to work out our differences. This is as it should be. This is far better than trekking to Washington, DC, with conflicts.

I did have an opportunity to see government in action in Washington, DC. I was a member of a group called "PACE," Power Action Committee for the Economy. We were seeking lower power rates to preserve industries in the Northwest. We were successful in meetings with our elected officials and I want to encourage others to not be afraid to go to the top with concerns. This action came a little late to save an aluminum company.

With so much overgovernment and excess spending, we do not need to add to it. These bills are open ended. No one has a real cost figure.

There are better ways. Why not a beautification project with incentives for fixing up by residents? We are presently charged with more taxes for improvement. How about turning that around in the name of pride? There is pride for ownership. Something that the highway department could do would be to plant trees or shrubs along unsightly areas. This would be much better than condemnation.

We've lived in Rowena for 14 years. Our home was quite visible when we purchased it. We've planted trees and shrubs so it is more hidden than before. It is possible to have a view and not be an eyesore.

I serve on a school board. Much of the land is in the gorge area. I'm concerned for kids, concerned for tax dollars, concerned about the future of all of us. We do not need anything more to drive people from our two States. We do not need Federal controlled States. Enough is enough. Let's save the gorge for us, the people that have a right to live and own property.

Incidentally, I keep hearing on the Oregon side, as I served on this Columbia Gorge overlay, they said, well, we have Federal control because they aren't doing anything on the Washington side. I'm kind of curious to see if the Oregon side keeps saying that the Oregonians are not doing anything.

Senator EVANS. Thank you.

Marilyn Misner.

STATEMENT OF MARILYN MISNER, PAST PRESIDENT, STABLER COMMUNITY COUNCIL, CARSON, WA

Ms. MISNER. Thank you, Senator Evans. I'm from the Stabler Community Council. The Stabler community is a small community within the Gifford Pinchot National Forest, inland along the Wind River, which flows directly into the Columbia.

At a regular meeting of the Stabler Community Council, the members unanimously oppossed any form of Federal control of the Columbia River Gorge.

Community councils were formed in the various areas of Skamania County to provide the planning council and the board of county commissioners with accurate information about the wishes of the county residents regarding land use planning and regulations.

We are a group of concerned citizens who live, work and own property in the gorge. We will continue to oppose over-development and inappropriate development, and will work to protect the unique rural culture and the human rights of the pioneering families. We will also protect another valuable and unique asset of the gorge, and that is the people and the communities.

We favor protection of the gorge as a beautiful and scenic treasure, and under local control the gorge is more beautiful today than at any time in the recent past.

Skamania County is approximately 91-percent Government-owned and 74 percent U.S. Forest Service, with only 8 percent taxable land. We are fighting to survive the onslaught of big Government and the protectionist zeal of urban dwellers who are working to eradicate rural America.

We in Skamania County have already lost our arms and legs to the Federal Government, and now they would have our heads. Federal takeover would place us under an appointed official who would be the final judge and jury over the condemnation and takeover of our property. The Government should be preserving and protecting our property rights, and not destroying them.

You will find nothing to justify a heavy-handed Federal takeover and the expenditure of millions of dollars in these difficult times to please a wealthy few.

We have practiced and will continue faithful stewardship of the gorge, which we appreciate as a national treasure. Simply put, we want to stay under local control with local officials, and not be placed under Federal control with an appointed official.

I would like to correct an erroneous statement of a previous panelist. This person stated that the wilderness, when they were set aside in Washington, took no timber from the timber base. The Trapper Wilderness here in Skamania County took millions of board feet of timber out of the timber base. It's a large area of old growth, primarly old growth timber over a vast amount of land right in the heart of the logging community.

Also, another person stated that the parks were now overcrowded. I live within a few miles of three Federal parks, and the only time they are overcrowded are on the Fourth of July and Labor Day.

I had one other statement. I sometimes wonder what the attitude of the nonresidents of the gorge would be if the boundary of this proposed protection area were taken down to the mouth of the Willamette River.

Senator EVANS. Well, somebody else will have to answer that question, I guess.

I have one comment on the Trapper Wilderness area. I believe that it's accurate that, although there was and is a good deal of merchantable timber, that even before it was made wilderness it was already in a recreation or protected zone and so was not being subjected to significant timber harvest. But, you're right, it is potentially merchantable timber.

Ms. MISNER. Right.

Senator EVANS. Next, Clara Peyrollaz.

[No response.]

Senator EVANS. Not here. OK, Barbara Vandervalk.

STATEMENT OF BARBARA VANDERVALK, ROWENA WOMEN'S CLUB

Ms. VANDERVALK. I'm Barbara Vandervalk. I represent the Rowena Women's Club. Ours is an old community in the Columbia River Gorge, but it's an unincorprated area and would probably come under the critical area designation.

I'm going to shorten down my testimony, but I'd like to point out some differences between what the Senate bill purports to do and what it actually says it can do. It appears to agree with us, as it states:

> The character of much of the landscape of the Columbia River Gorge has been maintained and enhanced by existing rural communities which should be protected and maintained.

However, further examination of the bill leaves us feeling, instead, threatened and betrayed. While the bill purports to establish a regional commission with representatives from local governments to administer the area, it in fact appoints the Secretary of Agriculture or his appointee as virtual dictator over the area. It is he who appoints an interdisciplinary committee, whatever that means, to draw up a management plan to submit to the regional commission. Should the commission reject this plan, the Secretary may adopt it, anyway.

He is then given the power to designate appropriate use of all lands within the area. He is given the power to accept or reject the urban growth boundaries and to establish the so-called critical areas. These critical areas he may then acquire by condemnation.

Supposedly single-family residences and farm and grazing land are exempt from condemnation as long as use and maintenance does not change. But, what is considered changes in use and maintenance will not be spelled out until 6 months after the bill has passed. One of the women in our club teaches painting. If she wants a studio on her home, would she be subject to condemnation?

We are retired and our children are grown. If we want to rent the basement apartment in our home to help pay for our $300-a-month taxes, will we be subject to condemnation because the use has changed, and will the county lose that $3,500 a year in taxes? If our neighbors become willing sellers, will their homes be boarded up and left to the weeds and the vandals, or bulldozed down and the land sold to the resort developers who are such ardent supporters of this bill?

Whatever the bill may set out to protect, it is certainly not the rights of the citizens. Either those presently living in the area or those who will be called upon to provide the tax dollars which "shall be available without fiscal year limitation."

We strongly urge the defeat of this bill. Thank you.

Senator EVANS. Thank you, very much.

We have the testimony here signed by Bessie Martin.

Ms. VANDERVALK. She's the secretary for our club. I'm just representing as spokesperson.

Senator **Evans**. All right, fine. We'll file her statement, also with the record, along with the statement you just read. Do you have copies of the statement you just read?

Ms. **Vandervalk**. No; I don't, but I can get some copies and give them to you.

Senator **Evans**. No; it's not necessary, we'll have it off the tape. Thank you.

[The prepared statement of Ms. Martin follows:]

Rowena Women's Club

2A

TESTIMONY FOR PRESENTATION TO HEARING ON
COLUMBIA RIVER GORGE "SCENIC AREA"
LEGISLATION

October 21, 1984

Gentlemen:

As people whose homes would be in jeopardy and lives adversely affected by passage of the proposed legislation, we would like an opportunity to voice our protest.

At a time when governments at all levels are in deep financial trouble these bills would give the federal government a blank check to use our tax money to condemn, purchase and remove from the tax rolls of the local governments a great deal of property, displace an unknown number of people and further depress the already troubled local economies.

While it may seem that property rights are protected, past history of such government grabs has shown that once the federal government is in control they do as they please, and property owners have no recourse. Indeed, the Secretary is authorized to acquire any lands he deems necessary to achieve the purposes of the Act. The bill specifically authorizes the acquiring by condemnation of 10% of the total acreage--as yet an unknown area. This would be a much higher percentage of privately owned property since much of the area is already in the hands of the federal government. Further purchases are authorized from "willing sellers" who sell from fear of condemnation. However, after the government has acquired the land, it has the right to give, lease, or sell to whom it pleases. We note that among the staunch supporters of the bill are resort developers who have had difficulty getting approval for their plans from truly concerned local land use planning commissions.

At a time when facilities in our national parks are considered a disgrace and funds are lacking to upgrade them, it seems completely illogical to acquire more. Benefit to the public is highly questionable. The very topography of the gorge protects it from excess development and local planning and use boards are already in existence which have a far better understanding, interest in and love for the area than any Washington, D. C. bureaucracy.

We in Rowena have had an excellent opportunity to see federal dollars at work recently. Almost a million dollars were spent on an existing riverfront park. A great deal of dirt was moved around to no purpose and the only resulting improvement was an enlarged parking lot. There is still no adequate access to thepark or sanitary facilities. By contrast, when Memaloose Park on I-84 was to be closed for lack of funds, Wasco county took it over and has it operating in the black.

The legislation supposedly makes local governments a partner in the planning and management by giving them representatives on the Regional Commission to draft a management plan, but it gives the Secretary of Agriculture power to adopt a management plan disapproved by the Commission, thus bypassing local government and disregarding the needs and wishes of those most concerned.

It is said federal control is necessary to preserve the beauty of the gorge. Will that beauty be enhanced by forcing out present residents from well loved and cared for homes, boarding them up or bulldozing them down and letting the weeds and vandals take over--as has been done in other "scenic areas"?

We do not want that to be the fate of our homes! Nor do we believe that tourists are somehow more beautiful and beautifying than the present residents of the gorge!

Let the federal government solve some of the problems it already has instead of creating another one here!

Rowena Women's Club
Committee to preserve Property Rights
Rt. 4, Box 279
The Dalles, Oregon 97058

Bessie Martin
Bessie Martin, Sec. Treasurer

Senator EVANS. Next, George Wilson.

STATEMENT OF GEORGE WILSON, VICE CHAIRMAN, HOME VALLEY COMMUNITY COUNCIL

Mr. WILSON. Thank you, Senator.

I want to state first of all that I'm a teacher at Stevenson High School in biology, and have a background and am very interested in the environment here. I'm also the vice chairman of the Home Valley Community Council. I own and operate a surface mine in this area. I want you to be aware of that. I think this has been very needlessly overlooked in the legislation. It's not very sensitive at the present time in regards to mining. I will, however, speak primarily in behalf of the Home Valley Community Council.

On behalf of the Home Valley Community Council, I express our opposition to both bills being considered before Congress concerning the Columbia River Gore. We believe in local, county, and State planning. We have working on our own to proceed with community land use and our conservation plans.

Just where is and what is Home Valley? Our community consists of approximately 85 homes included in an area from Wind River east for about 4 miles to the base of Augsberger Mountain. We are comprised of a number of small farms and timberland areas; a large log yard and chipping mill; two log dump facilities; a new, approved water system serving most of the homes; a gas station and general store; a fire station; a Corps of Engineers undeveloped part—by the way, that's the park that the corps condemned and was supposed to, I believe, in legislation of 1938 or 1939, do something on the Bonneville pool on the Washington side, which has not been done; a county boat launch facility on Wind River; numerous surface mines and mineral deposits, of which they number eight; geothermal wells and springs with some geothermal potential; some of the best water for wind surfing in North America, if not the world; and spectacular scenic and natural areas which we all appreciate and very dearly would like to preserve.

Once our local Skamania County zoning ordinance is passed, we can proceed with our own continued planning of Home Valley. This enables us our own rights for input into local and regional planning of our area. This area needs both Gorge preservation and economic development, not just in Stevenson and North Bonneville but in each community along the Gorge. We have the desire and ability to develop reasonable but successful controls on scenic beauty, habitat maintenance and enhancement, and law governing most natural, geological structures.

Much of the Gorge is maintained by the Gorge's rugged features. You've heard testimony about this and mentioned it yourself, so I don't need to get involved in that. Also, on the cost to the taxpayers of the Nation, we don't have the resources at the present time. In my opinion, with a $200 billion deficit, I'm questioning the need for this.

Regardless of the eventual decisions concerning this region, and this is important and probably the only point I will make, the present system of community councils allows a beautiful avenue of communication which is effective to reach rural residents and property owners, and should not be overlooked even in Federal legislation. I'm not in favor of it, however. Our community council system allows us a means to collectively communicate our concerns, and represents government in action at its best.

In Home Valley we believe we can work with a new county zoning ordinance to develop a unique and creative approach to community planning. We believe we can effectively combine human habitation and growth with the preservation of flora, fauna, and fantastic natural features.

You can read those questions down below. They've been repeated before and I don't need to restate them.

My final summation is that you should consider the significant basis of our overall existence here in America as U.S. citizen and the pride that keeps this Government of ours in a position to govern us, as well as to allow us freedom.

Thank you.

[The prepared statement of Mr. Wilson follows:]

COLUMBIA GORGE HEARING

November 8, 1984

Material for the Hearing Record

Presented to: Senator Dan Evans
Energy and Natural Resources Committee
Dirksen Office Building
Washington, D. C. 20510

From: Home Valley Community Council
George Wilson, Vice Chairman

On behalf of the Home Valley Community Council, I express our opposition to both bills being considered before congress concerning the Columbia River Gorge. We believe in local county and state planning, and we have been working on our own to proceed with community land use and conservation planning.

Just where is and what is Home Valley? Our community consists of approximately 85 homes included in an area from Wind River east for about four miles to the base of Augsberger Mountain. We are comprised of a number of small farms and timber land areas, a log yard and chipping mill, two log dump facilities, a new approved water system serving most homes, a gas station and general store, a fire station, a Corp of Engineers undeveloped park, a county boat launch facility on Wind River, numerous surface mines and mineral deposits, geothermal wells and springs with some geothermal potential, some of the best water and winds for wind surfing in North America, if not in the World, and spectacular scenic and natural areas.

Once our local Skamania County zoning ordinance is passed, we can proceed with our own continued planning of Home Valley. This enables us our own rights for input to local and regional planning of Home Valley. This area needs both Gorge preservation and economic development, not just in Stevenson and North Bonneville, but in each community along the Gorge. We have the desire and ability to develop reasonable but successful controls on scenic beauty, habitat maintenance and enhancement, and laws governing most natural geological structures.

Much of the Gorge is maintained by the Gorges rugged features itself. Further development is prohibited by topography, soil conditions, and available municipal services. Many decisions have been made by local land owners over the past 100 years or more. We the people have grown in our understanding to conserve this natural treasure without federal intervention in the past and present, and will continue to be wise stewards in the future. This has all been done with little or no cost to the taxpayers of the nation.

Regardless of the eventual decisions concerning this region, the present system of community councils allows a beautiful avenue of communication which is effective to reach rural residences and property owners. Our community council system allows us a means to collectively communicate our concerns, and represents government in action at its best! In Home Valley, we believe we can work with the new county zoning ordinance to develop a unique and creative approach to community planning. We believe we can effectively combine human habitation and growth with preservation of flora, fauna and fantastic natural features.

Senator Evans, please consider very carefully the following questions when formulating your opinions or legislation concerning this area and its citizens.

1. Are the loss of parts of our voting and property rights worth the cost to U. S. taxpayers?
2. Can the federal government develop a more effective communication system to plan and protect the Gorge and its citizens than we have? (Or will it just tell us what to do?)
3. Can and will federal legislation sensitively care for all the people if legislation is passed?
4. Have we not already proven our ability and desire by doing an excellent job of preservation and enhancement of many Gorge areas?

In final summation, consider the significant basis of our overall existence as U. S. citizens and the pride that keeps this government of ours in the position to govern, as well as to allow us freedom.

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Senator **Evans**. Thank you, very much. Thanks to all of you.

I have a particular question. Several times we've mentioned the undeveloped waterfront park. Can you tell me more specifically where that is and what the history of that's been?

Mr. **Wilson**. Well, I can't speak an awful lot to that issue. Ed Callahan could probably better speak to it. I've lived in Home Valley for about 10 years now. The park is about 60 acres. It lies east of the log yard. There's a tremendous amount of natural habitat in the park at the present time. There's a wetlands area and also a large area for potential development of ball fields possibly, for use by people, as well as considerable rookery possibilities and various areas where birds do use this. The park is being used considerably at the present time without any development by wind surfers, and people who come by and use it as a camping area. It's not being maintained at the present time because of the lack of funds by the corps.

Presently, there's a tremendous mess there, primarily garbage being laid around and so forth. So, we have some problems with that. We'd like to see a minimal park there with the ability to at least maintain the facility to some extent so that it doesn't become a problem and possible health hazard to the community.

Senator **Evans**. Is that currently in Federal ownership?

Mr. **Wilson**. Yes, it is. It was condemned for that purpose I believe in 1969. I'm not really sure about that, but that's what I believe.

Senator **Evans**. Well, that's interesting. That's something we'll want to take a look at and really find out more about that.

I'm curious, also, about what type of mining you're engaged in. What are you hunting for? Or have you found it?

Mr. **Wilson**. There are considerable mining interess in regards primarily to gravel. There are four major mines at the present in regards to a deposit of gravel which was desposited by the Columbia River just west of Wind Mountain. It has some economic value. It definitely could make concrete aggregate with certain possible processes. It has met specs for a number of Federal jobs, so it has considerable economic value.

Wnd Mountain is an intrusion, which means it is a solid piece of rock. So, its rock is very needed in the area for potential roadbuilding and various other resources. It was not, however, used in Bonneville Dam, which seems rather ironic when we are presently having some economic problems. I don't understand sometimes these decisions. If they can be screened correctly, which a number of the pits can be, my land use plan was developed 10 years ago when we came in there, and I can prove that this particular resource can be developed without tremendous environmental or scenic degradation if done correctly.

Senator **Evans**. OK, thank you.

Ms. **Misner**. Senator Evans, may I speak?

Senator **Evans**. Yes.

Ms. **Misner**. If you drive around Skamania County and look at the different stands of timber, some of the most beautifully managed stands are under private ownership. Many of those are within the Gifford Pinchot National Forest. But, a tourist coming to the valley believes it to be Government land just because it is in the forest. But, it is private ownership. As soon as you leave that area, you can tell there's a decided difference. Also, on the Upper Underwood area, the lands managed by Broughton Lumber Co. and SDS are beautifully managed lands.

Senator EVANS. OK. Thank you, very much.

I wish I was a marathon man, but I would like to call the next panel and then, mostly because the convenient restaurant close by closes before too long, we'll want to take a short break, just as short as we can make it, and then come back for the remaining testimony.

So, I would like to call the next panel up, but that will be the last one before we break. Then we'll try to get back as close to within half an hour as we can. Karen Fant, Mike Katz, Judge Marcine Miles, and Barbara Bailey.

If we're ready, Karen Fant.

STATEMENT OF KAREN M. FANT, EXECUTIVE DIRECTOR, WASHINGTON WILDERNESS COALITION

Ms. FANT. I'm Karen Fant, executive director of the Washington Wilderness Coalition, an organization dedicated to the protection, preservation, and sound management of wilderness, public lands, wildlife, and water resources in Washington State. Our membership, which includes 31 organizations and over 1,000 individuals around the State, is vitally interested in the protection of the Columbia Gorge.

The Washington Wilderness Coalition regards the gorge as a significant State and national treasure worthy of protection, prividing both a highly scenic area and a unique ecological transition zone between the eastern and western ecosystems of Washington and Oregon. Our primary interest in the Columbia Gorge is protection of the natural values of this area. Currently, development is proceeding in a haphazard fashion. Without zoning regulations and land use plans, wetlands, prime wildlife habitat, key fisheries and the scenic quality of sensitive portions of the gorge are succumbing to the pressures of development. We support strong zoning ordinances and intergrated land use planning for the Columbia Gorge in order to provide stable and uniform growth in the area, as well as to maintain the current mix between developed and undeveloped features, which gives the area its characteristic flavor.

Second, the Washington Wilderness Coalition has a keen interest in the protection of the tributaries of the Columbia River. Wild stock salmon and steelhead streams, particularly the Wind River system, deserve immediate preservation to protect the natural fishery, as well as the high quality fishing experience provided by the wild nature of these streams. To ensure the maintenance of the fisheries of the Columbia River system, care must be taken now to keep these rivers free-flowing through wild and scenic river designations.

Third, we strongly encourage that the enabling act of the Columbia Gorge be written to include very specific language regarding management of the area. Much of the confusion surrounding Stehekin in the Lake Chelan National Recreation Area is based on interpretation of the intent of Congress at the time the NRA was established. If the management of Stehekin had been more specifically spelled out in the enabling act, many of the management problems which presently confront the agency, the local citizenry and other interested parties might have been avoided. Because the intent of Congress in 1968 has become blurred with time, the current situation at Stehekin is messy, highly controversial and complex. For the sake of future land managers, residents of the gorge and others, we encourage language in the act to fully describe the intent of Congress rather than to leave questions of management open to interpretation at a later time.

The Washington Wilderness Coalition feels that Senator Packwood has made an excellent start toward the ultimate solution of the Columbia Gorge by introducing S. 627. We would hope to see other drafts of legislation developed for this complex area, as well. Central to the issue are land use planning and zoning, tributary protection, fishery and wildlife habitat preservation and more specific management provisions. All levels of government should be included in management of this area.

The Park Service has had extensive experience in the management of natural recreation areas and should be considered to become a lead agency for the Columbia Gorge. Several examples I'd cite are the Golden Gate National Recreation Area near San Francisco, Santa Monica Mountains National Recreation Area near Los Angeles and Pine Barrens National Recreation Area in New Jersey.

The Columbia Gorge contains magnificent scenic, natural and recreational values of national significance, and we look forward to working with both delegations to preserve this national treasure for the future.

Thank you, very much, Senator.

[The prepared statement of Ms. Fant follows:]

Washington Wilderness Coalition

P.O. Box 45187, Seattle, WA 98145-0187 (206) 633-1992

Hearing on the Columbia Gorge
Before the Senate Energy and Natural Resources Committee
Presented by Karen M. Fant, Executive Director
Washington Wilderness Coalition
8 November 1984

I am Karen Fant, the Executive Director of the Washington Wilderness Coalition, an organization dedicated to the protection, preservation, conservation and sound management of wilderness, public lands, wildlife and water of Washington State. Our membership, which includes 31 organizations and over 1000 individuals around the state, is vitally interested in protection of the Columbia Gorge.

The Washington Wilderness Coalition regards the Gorge as a significant state and national treasure, providing both a highly scenic area and a unique ecological transition zone between the eastern and western ecosystems of Washington and Oregon. Recreational use of the Gorge, such as hiking, hunting, fishing, and the popular loop drive through the Gorge via I-5 and Satus Pass, is enjoyed by many of our members. The question of preservation of the Columbia Gorge has been simmering for years, and it is now time to resolve the uncertainty surrounding this issue.

Our primary interest in the Columbia Gorge is protection of the natural values of this area. Currently, development is proceeding in a haphazard fashion. Without zoning regulations and land use plans, wetlands, prime wildlife habitat, key fisheries and the scenic quality of sensitive portions of the Gorge are succumbing to the pressures of development. We support strong zoning ordinances and integrated land use planning for the Columbia Gorge in order to provide stable and uniform growth in the area, as well as to maintain the current mix between developed and undeveloped features which gives the area its characteristic flavor.

Second, the Washington Wilderness Coalition has a keen interest in the protection of the tributaries of the Columbia River. Wild stock salmon and steelhead streams, in particular the Wind River system, deserve immediate preservation to protect the natural fishery as well as the high quality fishing experience provided by the wild nature of the streams. The establishment of the Trapper Creek Wilderness Area this year, which protects the headwaters of the Trapper Creek tributary of the Wind River, was due primarily to its high fisheries value.

Habitat preservation of the headwaters of rivers is only part of the picture, however. To ensure the maintenance of the wild fishery of the Wind River, care must be taken now to keep this and other rivers free-flowing. Hydroelectric projects, such as those proposed for tributaries of the Wind, White Salmon and Little White Salmon River systems, would have adverse impacts on the fisheries and recreational resources of the rivers. Tributary protection must be more clearly addressed.

Third, we strongly encourage that the enabling act of the Columbia Gorge be written to include very specific language regarding management of the area. I am personally familiar with the problems in the Stehekin National Recreation Area. Much of the confusion surrounding the Stehekin NRA is based on interpretations of the intent of Congress at the time the area was established. If the management of Stehekin had been more specifically spelled out in the enabling act, many of the management problems which presently confront the agency, the local citizenry and other interested parties might have been avoided. Because the intent of Congress in 1968 has become blurred with time, the current situation at Stehekin is messy, highly controversial and complex. For the sake of future land managers, residents of the Gorge, and others, we encourage language in the act to fully describe the intent of Congress, rather than to leave questions of management open to interpretation at a later time.

The Washington Wilderness Coalition feels that Senator Packwood has made an excellent start toward an ultimate solution of the Columbia Gorge by introducing S. 627. In addition to S.

627, however, we would expect to see other drafts of legislation be developed for this complex area. Central to the issue are land use planning and zoning, tributary protection, fishery and wildlife habitat preservation, and more specific management provisions. All levels of government should be included in management of the area. The Park Service has had extensive experience in the management of National Recreation Areas and should be considered to become the lead management agency for the Columbia Gorge.

We would like to offer our assistance in working with Members of both the Washington and Oregon delegations in developing the legislation on the Columbia Gorge. The Gorge contains magnificent scenic, natural, and recreational values of national significance and we look forward to working with both delegations to preserve this national treasure for the future.

Thank you for this opportunity to present our views.

Senator EVANS. Thank you.

Next, Mike Katz. Mike, it's good to have you here and nice to have you testifying on something other than power.

Mr. KATZ. You're not kidding. It's nice for me, too. I'm pleased to be here and I appreciate the opportunity to address the committee.

STATEMENT OF MYRON B. KATZ, PORTLAND, OR

Mr. KATZ. My name is Mike Katz and I'm a resident of Portland, OR. I'm testifying as a private citizen.

Americans are mindful that there are some rare and special places in our land, fragile and irreplaceable chunks of geography that need to be protected and preserved for the use and enjoyment of future generations. The Columbia River Gorge I think is, incontestably, such a place. I have hiked often in and around the gorge on both sides of the river. My family and I have a love affair with its spectacular beauty and, quite frankly, I have shamelessly enjoyed the envy of visitors from other parts of the country when they see the Columbia Gorge for the first time and rhapsodize about its extraordinary scenic grandeur.

It's a matter of some importance that the remarkable scenic values of the Columbia Gorge be appropriately preserved and protected. That goes without saying. Examining alternative approaches to that task is one of the purposes of this hearing.

I would like to urge that management decisions for the gorge be influenced by a broad-guaged and representative body with national, regional, and local perspectives. There are not ways to guarantee such perspectives, but there are ways to improve their prospects.

I would like to draw on an experience of mine to indicate why I believe broad planning and management perspectives are desirable. For 11 years I served as a member of the Portland City Planning Commission. I was its president for three terms, during the course of which Portland prepared and adopted a new comprehensive plan.

During my years on the planning commission, particularly during the development of the comprehensive plan, an ambitious effort was made to ensure widespread and effective public participation and citizen involvement. In particular, local neighborhood associations were established and hearings held in each neighborhood to assure substantial opportunities for citizen participation in the planning process.

By and large, the effort to intensify neighborhood interest and encourage public participation was successful and worthwhile. It continues energetically to this day. But, it did surface some disagreeable peculiarities.

Occasionally, public participation by local neighborhood associations in particular brought out the worst in people, rather than the best. If often focused their attention upon narrow and selfish interest, and diverted them altogether from the larger public interest. In short, neighborhood or local perspectives sometimes inspired narrow and ill-spirited impulses; a pity, because these were mostly decent people, driven by decent impulses.

For example, most neighborhood representatives are not opposed to the concept of residential care facilities such as homes for retarded or emotionally disturbed youngsters, or halfway houses, shelters for pregnant teenagers or senior citizens homes. Generally, neighborhood representatives think it's a good idea in theory, which is a code word for saying "in someone else's neighborhood, not mine."

As another example, when carefully explained and understood, most folks favor higher density development within existing urban boundaries or along mass transit corridors to conserve energy, to reduce urban sprawl and to check leapfrog development. Somewhere else, however, not where I live.

There's nothing venal about these strictly local attitudes. They're natural and human. But, if the ultimate decisions for comprehensive planning in the city of Portland were left to each affected neighborhood, a broad-guaged, city-wide perspective would be unlikely to emerge. The chances for sensible comprehensive development in the city would be diminished. Important city-wide goals would be neglected or blocked.

The same is true for the Columbia Gorge. The views and perspectives of local residents deserve careful and fair consideration, even some extra weight. But, that narrower view should not be allowed to obscure larger, public interests that are often at stake.

Were the Columbia Gorge a matter of only local importance, were it one of many comparable pieces of geography sprinkled generously throughout the Nation, it might be appropriate to have local residents dominant in its management or policy development. The problem is, and it's been identified here this evening, the gorge is one of a kind. It is a national scenic treasure. Whatever entity is selected to manage the resource or help formulate policy will be acting not only for the local vicinity, or for Washington and Oregon, but for the Nation. Whether or not it is aware of it, that entity will be the trustee for a national asset.

Hence, whatever kind of commission is established, advisory or managerial, and my preference is that it be advisory but strong and influential, and I' m sure that it can be made strong and influential, its membership should reflect more than local perspectives. A geographically diffused membership is a sensible way to achieve that broader perspective.

And this is the point I wish to make. To ensure a broad-gauged perspective and some geographical diffusion, and at the same time to not preclude the opportunity for strong local representation, I urge two things: First, that the commission be comprised of 13 or 14 voting members; and, second, that not more than one appointee be a resident of the same county.

Since there are six counties bordering the gorge, three in Washington and three in Oregon, as many as 6 out of the 13 or 14 voting members could be appointed to the commission from gorge counties. The opportunity for strong, local representation should be assured.

In conclusion, I'd state that the history of national parks, wildernesses, and recreation and scenic areas in America is replete with local versus regional or national interests. Each interest is important, none should be neglected. The objective is to strike a proper balance, one that respects local viewpoints and protects national interests. The not-more-than-one-appointee-from-the-same-county rule is a fair and reasonable way to achieve that important balance.

Thank you.

Senator **Evans**. Thank you, Mike.

Next, Barbara Bailey.

Ms. **Bailey**. Mr. Katz, if you have anything else to say, I would be glad to yield my time.

Mr. **Katz**. Oh, no. That's generous. I've said more than I should.

STATEMENT OF BARBARA BAILEY, THE DALLES, OR

Ms. **Bailey**. My name is Barbara Bailey. I am a resident of Wasco County. I would like to thank Senator Evans for earlier recognizing the arid geology of the eastern end of the gorge. I think it is, indeed, fantastically beautiful.

I am a landowner in The Dalles. My home is within the scenic corridor of the Columbia River Gorge. During the past 20 years, my husband and I have actively been involved in the orchard business in the immediate area. I am what you would call a third-generation farmer's wife.

I am here today to testify in favor of a strong Federal role in the Columbia River Gorge. I will disclose my reasons in three parts: No. 1, needed guidelines for industrial development; No. 2, controversy in the gorge; and, No. 3, planning and protecting the gorge is an extensive job.

As a fruit grower, I have learned from first-hand experience that it is imperative that we have an overall management plan for the gorge which will encourage only compatible industries to be in the confines of the gorge. If you have ever flown over the gorge or driven into the gorge from a higher altitude, you probably have observed—unless there was a cleansing wind—that the gorge holds and traps and conducts particulates and pollutants. It is essential to our agricultural base that we maintain clean air. I would like to suggest that an airshed study be part of the gorge management plan. The ability of the gorge airshed to accommodate pollutants is not infinite.

I believe that we need the assistance of the Federal Government with its substantial experiences and resources to help us legislate constructive development plans. There is a fear of the unknown which has led to controversy. My impressions are an outgrowth of specifically witnessing the problematical issues with the once Harvey Aluminum in the Dalles and, more recently, the proposed zirconium plant in Dallesport, WA.

This leads me to my second point of controversy in the gorge. I was involved with the zirconium issue. Even though as I look back on it I know it's something that we had to do as a community, I think that our whole community paid a very high price. This controversy in the gorge creates almost a cloud as to the title and use of the gorge. I feel that would-be industry and development is reluctant to enter this sensitive, debatable area. The numerous brushfires that flare and smolder within the gorge are just red flags, giving notice to the world that if you enter you may be involved with a community battle or a lawsuit. I ask that the Federal Government help us to draw reasonable and applicable use guidelines as soon as possible so that this debate is concluded, and a fair and sensible management plan is enacted. We must stabilize our atmosphere.

I'm not going to read my third point, which is the idea that planning and protecting the gorge is an extensive job because that's already been addressed today, but I do want to urge that an airshed study be part of any Federal involvement with the gorge.

Thank you, very much, for this opportunity to testify.

[The prepared statement of Ms. Bailey follows:]

To: The Honorable U.S. Senator Dan Evans
Re: Columbia River Gorge Hearing
November 8, 1984
Stevenson, WA
Testimony from: Barbara Bailey

My name is Barbara Bailey. I am a landowner in The Dalles, Oregon within the scenic corridor of The Columbia River Gorge. During the past twenty years, my husband and I have been actively involved in the orchard business in the immediate area.

I am here today to testify in favor of a federal role in The Columbia River Gorge. I will disclose my reasons in three parts:

1. Needed guidelines for industrial development
2. Controversy in The Gorge
3. Planning and protecting The Gorge is an extensive job.

As a fruit grower, I have learned from first-hand experience that it is imperative that an overall management plan exist for the gorge which would encourage only compatible industries within the confines of the gorge. If you have ever flown over the gorge or if you have driven into the gorge from a higher altitude, you have observed that unless there is a cleansing wind, the gorge holds and traps and conducts particulates and pollutants. It is essential to our agricultural base that agreeable, clean industry position in the gorge. But what is clean? The ability of the gorge airshed to accomodate pollutants is not infinite. And where are the best sites for incoming plants? I believe that we need the assistance of the federal government with its substantial experience and resources to help us legislate constructive development plans. There is a fear of the unknown which has led to controversy. My impressions are an outgrowth of specifically witnessing the problematical issues with Harvy Aluminum in The Dalles and more recently the proposed zirconium plant in Dallesport, Washington.

My second point is controversy; the once proposed zirconium plant serves as an example of what happens when there is argument. Overall, controversy has created a cloud as to the title or use of the gorge. Would-be industry and development is reluctant to enter a sensitive, debatable area. The numerous "brush fires" that flare and smolder within the gorge are red flags, giving notice to the world that if you enter you man be faced with community battle and/or lawsuits. I ask that the federal government help us to draw reasonable applicable use-guidelines, as soon as possible, so the debate is concluded and a fair, sensible management plan is enacted. We must stablize the atmosphere.

On to my third consideration: planning and adequately protecting the gorge is an extensive proposition. The job is bigger than my Wasco County, or Klickitat or Skamania - we simply do not have the resources or experience as individual or collective counties. Then when you consider that there are fifty different government entities now involved in gorge management, the complexity is obvious. I urge and request a strong federal role to help us orchestrate a plan for the gorge - a plan that will preserve the accessible, world-class environment; a plan that will protect our agricultural base from airbourne pollutants and urban sprawl; and a plan that will encourage compatible growth and direction for the health of the region.

Barbara Bailey
The Dalles, Oregon

Senator EVANS. Thank you.
Eric Hovee.

STATEMENT OF ERIC HOVEE, ECONOMIC DEVELOPMENT SERVICES, VANCOUVER, WA

Mr. HOVEE. Senator Evans, my name is Eric Hovee. I'm the owner of a consulting firm in Vancouver, Economic Development Services. I'd like to take just a little bit different slant for a couple of minutes, and share a few thoughts as a development professional and Vancouver resident about the tourism potential of the Columbia Gorge.

I would offer I think three observations as being critically important to the economic future of communities in the gorge. First, as I think is apparent, the lumber and wood industry which has been the mainstay of employment for years in many gorge communities is on the decline and probably will never recover to levels of previous years. As of this September, for example, Skamania County has one of the highest unemployment rates in the State of Washington at almost 14 percent. This rate is 65 percent higher than the 8.4-percent unemployment level statewide. Permanent economic recovery will probably not occur until a new, nontimber-related job base can be created to complement the gorge's existing, resource-based industries.

Second, the tourism industry represents a powerful opportunity for creating the new job base needed for a stable economic future in the Columbia Gorge. There are already a tremendous number of people visiting the gorge every year, most notably to Bonneville Dam and Multnomah Falls.

Third, the prospect of capturing those tourist dollars remains largely untapped yet. Private commercial ventures have been scattered and not always well known. Lodging and other support facilities are lacking in many communities. Fortunately, a lot has happened in the last couple of years, since this discussion about the gorge really got into full swing. The visitors center at the new Bonneville powerhouse is open; the new Columbia Gorge "Sternwheeler" is operating; organizations like Mid-Columbia Marketing and the Southwest Washington Trip Organizations are underway and promoting the gorge as a package tourism destination; the Columbia Gorge Hotel has reopened. Then, there are communities that I'm familiar with, like Vancouver, Camas, and Washougal, that are looking to build tourism programs that rely on the drawing card of the Columbia River Gorge.

Unfortunately, we have yet to take advantage of the single most important tool available to build tourism from a fledgling industry to a potent economic force in this area. Quite simply, I believe that we need to put the Columbia Gorge on the map as a national scenic area. Designation of the gorge by the U.S. Congress as a national scenic area will give this region a nationwide, cohesive identity it has never before had. Putting the gorge on the map as a unique national treasure also gives the credibility that convention planners and travel agents need to have in order to sell our area as a place worthwhile to visit and to spend money.

No less an authority than Mr. Robert Giersdorf, who is the president of the Travel Industry Association of America, recommended this summer that the Columbia Gorge be designated as a national scenic area. He said that this would be "the single most significant step the business community could take to capitalize on the tourist industry."

Finally, I would note that the national scenic area concept offers the resource protection that is essential for the economic future of Columbia River Gorge communities. We need coordinated management of this priceless natural wonder to assure that future development does not destroy the asset which draws visitors, dollars, and jobs into the gorge.

I thank you again for the chance to offer this testimony.

Senator EVANS. Thank you, very much.

Karen Fant, you mentioned several goals the Wilderness Coalition would like to see achieved, chief among them the effective zoning ordinances and assurance of the protection of the tributaries.

Ms. FANT. Uh-huh.

Senator EVANS. Would you feel that if in some fashion, maybe by some Federal incentive or some other way, all of the local counties could be not only encouraged but have the extra resources necessary to establish effective zoning ordinances, particularly with this concept of overlay procedures, that that could effectively accomplish that particular purpose?

Ms. FANT. Well, I feel that local zoning is just part of the picture. I think it's very important to have a Federal jurisdictional body overseeing and coordinating the efforts. In the testimony I presented, I was suggesting the National Park Sevice. In some instances, other national recreation areas which I've mentioned, the Federal agency is the lead management agency and it coordinates the efforts of the other bodies, as I understand it. But, I feel very strongly that we need to have local, State, and Federal involvement in the Columbia Gorge.

Senator EVANS. You used two words which mean quite different things. You said "management" and "coordination." It's one thing to coordinate things, it's another thing to manage them. Do you suggest the lead agency needs to manage the operation, especially as it relates to local zoning ordinances?

Ms. FANT. Well, I think in that case it would be a coordination effort. But, I see that the Park Service in this case would have an overall management role on the Federal lands.

Senator EVANS. Just on the Federal lands?

Ms. FANT. Yes.

Senator EVANS. So, it would be the zoning ordinances on private lands. What about State lands? We've got pretty significant State forest lands in the area, at least on the Washington side. I'm not sure about Oregon.

Ms. FANT. Well, I think the States would have to be working with the Federal Government to set up their zoning. But, once again the Federal agency would have to be the overriding body.

Senator EVANS. In this case, is there any feeling that the Forest Service manages their lands any better or even as well as the State department of natural resources manages its lands? In other words, are you going to be any better off or are you going to be worse off if the Federal Government takes over?

Ms. FANT. Was your question between the Forest Service and the department of natural resources?

Senator EVANS. Yes, on State lands.

Ms. FANT. Well, in the instance I was giving, I was recommending the Park Service because I feel that——

Senator EVANS. Well, I'm sorry, I meant the Park Service rather than the Forest Service.

Ms. FANT. I would say yes, that the Park Service has more stringent guidelines. The Forest Service, for example, in the Mt. St. Helens National Volcanic Area, we're currently looking at the management plan that the Forest Service is developing. Had it been a National Park Service unit, I feel that a lot of recommendations the Forest Service is making would have been different. In other words, they would have been stronger. I would prefer that this be managed by the National Park Service rather than the Forest Service.

Senator EVANS. If you manage everything by the National Park Service, though, do they have any particular expertise in the management of lands which I presume you would suggest still be utilized for forest base, or are you suggesting that all forest operations cease in the Columbia Gorge area?

Ms. FANT. I'm not recommending that, no.

Senator EVANS. OK. Well, if you're going to manage it for forest management, I'm not quite sure what the Park Service expertise brings to it. They certainly don't have it in timber management control.

Ms. FANT. That's true.

Senator EVANS. Nor in local zoning.

Ms. FANT. Well, the Forest Service——

Senator EVANS. What do they have?

Ms. FANT. What do they have?

Senator EVANS. Yes, for this in particular. I know what they have generally, they're a very fine agency; but, for this particular kind of thing we've put together here, do they have the range of management backgrounds that would best fit this area, as opposed to the Forest Service?

Ms. **Fant.** I feel that that would be the case, yes.

Senator **Evans.** Mike, your member commission with no more than one from each county—I've been mulling over in my mind how closely if parallels or how far away that is from the makeup of the Power Council and its operations. The Power Council represented at least one instance where representatives of local areas or of each of the individual States were pretty successfully able to apply a regional approach to things, even though clearly the representatives were from each State. Is there any reason not to expect that you couldn't get the same thing from representatives even if they were from the local counties, all of them?

Mr. **Katz.** Yes, I think there is some reason to think you couldn't get the same kind of broad perspective from local counties. I had in mind, as a matter of fact, that very model. I emphasized in my testimony that I think the commission which should consist of 13 or 14 members, not more than one member of whom is from the same county, should be strong and influential. Now, the question is if it's advisory, can it be strong and influential? Advice is something that you can give or take. But, I'm suggesting it can be.

I have in mind now most particularly the model of the Northwest Power Act which provides for a council which does provide guidance, policy guidance, of the sort that I have in mind here, but which has two features in it, both of which can be incorporated into this legislation to make it a really potent force. Number one, authority to review the actions that are taken—in this case by the Forest Servcie in managing, the micro-management and development of a plan for the area—and determining whether or not those actions are consistent with its policies that it's formulated for guidance; and, number two, and this is secitons 4(i) and 4(j) respecitively, authority to request that actions be taken by the management agency.

In the case of the Power Act, the Bonneville Power Administrator has 90 days in which to respond in writing either how he intends to take those actions that are requested of him by the advisory agency, the council, or within those 90 days why he can't do it, why it's illegal for him to do it or why it's inconsistent with the plan or why his obligations don't permit it. In that case, the council has 60 days, and here I would say the advisory commission be given 60 days to say, well, you don't satisfy us and we're requesting that you hold an informal hearings on the subject and reach a final decision.

Senator **Evans.** How about going one step further? We may have an even different idea still about the Northwest Power Act and what it means, but I think it is far more than an adviory body; that, in fact, it requires Federal agencies to follow the plan to the maximum extent possible in one case and the maximum degree practicable in the other. I'm just willing to bet that when and if that ever comes down to a court interpretation of what that means, it means "damn well follow." So, that puts it in far more than an advisory capacity.

Mr. **Katz.** It is more than advisory, it's something less than directory and more than advisory. It is a guiding policy development entity. But, the point is you have to avoid, if you're going to have Federal legislation here and a federally-designated scenic territory with a Federal agency managing it, the constitutional problem, of which I know you're aware, of a non-Federal entity, a State- or localy-appointed commission, giving orders to a Federal entity. There's an issue there. You want to go as far as you can go without imperiling the mechanics of——

Senator **EVANS**. We came about as close as we could with the Power Act.

Mr. **KATZ**. My guess is maybe even further. That's yet to be resolved. There is a suit pending.

Senator **EVANS**. OK. If we don't quit now, the restaurant will close. If the restaurant closes, you'll have a snarling hearing officer.

Thank you, very much. We are in recess until approximately 8:20.

[The hearing recessed at 7:55 p.m., to reconvene at 8:20 p.m., the same day.]

EVENING SESSION

Senator **EVANS**. I guess I was more optimistic than I had a right to be. It took a little longer than I thought to get dinner down.

With that, let's get right at it. The next one is panel D, Bill Birkenfeld, Wind River Logging; Jeffrey Jones, either Mr. or Mrs. Theodore Jung, Carl Neuberger, C. H. Willison, and Lucille Aalvick.

The first one, Bill Birkenfeld, Wind River Logging.

STATEMENT OF WILLIAM J. BIRKENFELD, PRESIDENT AND CO-OWNER, WIND RIVER LOGGING CO.

Mr. **BIRKENFELD**. Senator, ladies and gentlemen of Skamania County, my name is Bill Birkenfeld. I'm the president and co-owner of Wind River Logging Co. I'm a timberland owner and lifelong resident of Skamania County.

Our timberland was given to us by my German immigrant father 10 years ago upon his death. My father's language was not that of a polite scholar. He swore a lot and had a heavy German accent, although you never had to guess where you were with him or what he thought of you. He did business with a handshake and his word was his bond. The businessmen and ourselves still do business this way in this county.

The only business in this county is the timber industry. The grocery store, gas, and restaurants are just support industries. If the Hatfield-Packwood bill is allowed to pass, it will gut the county. The only resource we have in the county is timber. There is absolutely nothing else.

You, Senator Evans, or President Reagan are our only hope of stopping this bill. We must have local control. The county has a land use program. Granted, it is a limited land use, but we still have the program.

When I go to harvest my crop, I must get a cutting permit from the department of natural resources even though it is privately held timber. The 6.5-percent harvest tax we pay helps to run the

State and local government. The DNR is a State control that we will not make mistakes in our logging areas concerning the harvest of the trees and the stream protection. We must replant clearcuts and landings under the DNR rules. This we will do and continue to do because it's just good forest management. My company plants between 50,000 and 100,000 trees a year. My job of raising a forest is a job of hope. We hope we're doing the right thing because it takes 20 years to see if I'm correct in my harvesting procedures.

We fight a lot of things in our forest: rot, wind damage, theft, and disease. We can control most of these problems. The Hatfield-Packwood bill is a dirty disease that my forest cannot fight. So, therefore, you, Senator Evans, and I must give it help. The thought that Senators and people from Oregon can tell me what I can do and not do with my timberlands makes me sick to my stomach. We are professional foresters and are proud of the job we do. Our growth in our forests is equal to or better than most private forests in the state.

One of the problems seems to be with the Friends of the gorge is that they worry about home development in the gorge. I cannot speak for other timber companies, but only for ourselves. We will not subdivide our timberlands into home divisions for two reasons: The ground is too steep and inaccessible and we're in the timber industry. I believe that all the timber companies feel the same way.

The private timber in the county is a vital resource to our local economy. The department of natural resources timber will not be ready to harvest until the year 2000 because of its age and it's in the south end of the county. The Federal timber is going to be in short supply because of the eruption of Mount St. Helens. This is why the private forests must be left to log.

So, Senator Evans, if you decide to take the job of helping us in Skamania County, you will not self-destruct. The Senators from Oregon and some of the people in that State won't like you; but, what the hell, they don't vote for you and they don't understand, anyway, and you would be doing the right thing.

You asked different questions. I can tell you of two instances with my family and our industry and our industrial property in the county. We are trying to bring in jobs to the county. I have a billion-dollar corporation that is ready, willing, and able to lease ground from me that is outside of Stevenson, WA, as is Stevenson Co-Ply. The company, unless I can find financing in different places, will not come. The reason is I've been turned down by two banks in Portland, OR, U.S. National and Bank of California. I and my brother's credit is A-1. Their only reason for turning this loan down, which was between $800,000 and $1 million, was because of the pending gorge legislation. Gang Nail will bring 150 jobs into this community. If I cannot finance it or if this law will hold us up, Gang Nail will move on. They like the county, they like the people in the county, they like the work force. They like the only product we have, timber. They are not going to be buying timber, they will buy from our producers in the county, Co-Ply, SDS, and WKO. We have been turned down by two banks. We don't know where we will find the financing, but we will try to do it.

You asked another question on what you would do to help the scenic area. I have suggested one thing. I believe if you go to the timber companies, which we have all at one time offered within the last 4 years, to leave our timberland alone. We will not subdivide it. But, we must be able to harvest trees. They can't have it all.

Thank you.

Senator EVANS. Thank you, very much, Bill. Thank you.

Jeffrey Jones.

STATEMENT OF JEFFREY JONES, EXECUTIVE VICE PRESIDENT, SKAMANIA COUNTY TITLE CO.

Mr. JONES. My name is Jeffrey Jones. I reside in Cascade Locks, OR. I'm the executive vice president of Skamania County Title. We have three employees.

Senator, fellow citizens, it is easy for visionary protectors to devise schemes and to stand on their utility which, after all, are found to be so impracticable or so difficult that no man of solid judgment can be prevailed upon to attempt putting them into execution. In all manners where the good of the community is at stake, new projects should be carefully examined in all their bearings that the ruinous consequences which might follow them may be avoided.

The peoples of Skamania County and the Cascade Locks side of the Columbia River Gorge have long distinguished themselves as people of good sense, honor, and patriotism. We urge citizens and Members of Congress to have confidence in our labor to protect our beautiful, God-given environment, and not listen to the ignorant politicians and environmentalists who would blindly place their schemes upon us without looking beneath the surface or considering whether they should be practicable or otherwise. We should not be considered as unfit parents, not responsible to take the proper care of our child, the Columbia River Gorge.

Now, I have a story to read that was written in 572 B.C. by a philosopher known as Aesop.

> A sow that had just farrowed and lay in her sty with her whole litter of pigs was visited by a big wolf who secretly longed to make a meal of one of them but knew not how to come of it. So, under the pretense of a friendly visit, he gave her a call and endeavored to insinuate himself of her good graces by his apparently kind inquiries after the welfare of herself and her young family.
>
> "Can I be of any service to you, Mrs. Sow," said he. "If I can, it shall not on my part be wanting. And if you have a mind to go abroad for a little fresh air, you may depend on my taking as much care of your young family as you could do yourself."
>
> "No, I thank you, Mr. Wolf. I thoroughly understand your meaning, and with the greatest favor you can do, leave me and my pigs alone, please."

Now, there is a group that is undermining the economic stability of the Columbia River Gorge. The group acts on a fear that Federal legislation is going to go in. They get developers and people that are interested in developing nice, small things that do fit into the character of the gorge, and are necessary for our growth and our continued development as a community, and that group is friends with a group called Friends of the Gorge and the Columbia Gorge Commission. They instigate directly with those groups to find out where the trouble spots are that the environmentalists don't like. Then they go in and buy out these potential developments and hold them to sell to the Federal Government at a later date, any date, and they remove this property from the tax rolls. That group is the Trust for Public Lands. I believe that they are violating their tax-exempt status in the way that they operate, and that their practices should be looked into by a Senate commission.

Senator EVANS. OK. Mr. Jung.

Mr. JOLLY. Senator Evans, I'm Donald Jolly, architect and land planner. The Jungs happen to be my client. Unfortunately, he is ill and his hip is bothering him very badly, and he asked if I would give you his statement. I will not take the time to read it, but I do want it into the record. With your permission—I was on a following panel. May I speak in his stead?

Senator EVANS. Yes; if you can try to keep it condensed.

Mr. JOLLY. It will be condensed to 3 minutes. Thank you, very much.

STATEMENT OF DONALD G. JOLLY, VANCOUVER, WA

Mr. JOLLY. Senator Evans, ladies and gentlemen of the audience, and especially——

Senator EVANS. Do you have Mr. Jung's statement?

Mr. JOLLY. Yes; I will turn that in directly after this presentation.[1]

Senator EVANS. All right, fine. Thank you.

Mr. JOLLY. Thank you.

Senator Evans, ladies and gentleman, and especially those of you that are not present, my name is Donald Jolly, architect and land planner from Vancouver, WA. As stated, I've been working in the gorge area for the past 3 years very dilingently and in close coordination on a housing project known as Hidden Harbor. I've been successfully active in the land planning business for 33 years from Washington to Flordia, and California to the Midwest. Many of the projects with which I've been involved have been environmentally sensitive.

I fully believe all of us here today are environmentalists with conservation in mind. The large problem is the difference in philosphy and the approach to the management of these sensitive lands.

There have been many statements made, and somewhat slanderous, by some of the supporters for Federal control and management of the Columbia River Gorge that specifically Skamania County is lacking in interest and legal control or management of the Columbia River Gorge. This simply is not so. To date there are approximately 28 regulatory local, State, and Federal agencies which have input into each project. Their regulations, concerns, and questions must be responded to and satisfied prior to final approval.

Skamania County in 1977 adopted the Skamania County comprehensive plan, establishing the goals and policies of the orderly future physical development of Skamania County. A great deal of time and arduous study was involved in the preparation of the comprehensive plan.

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[1] See appendix.

There are three land-use areas designated in this plan which are as follows: Rural 1; the rural 1 category indicates areas of existing or present development. Much of this area is presently rural in character. The intent is not to alter this character. However, the potential for future development is greater here than for other lands in the county. The natural limiations are fewer and most areas are served by the water systems, roads and electricity. More varied and denser development could take place within this land-use category. That's rural 1. There are only 12 square miles in the entire county that is rural 1 development, or 0.7 percent, less than 1 percent of the entire county is rural one, allowing higher density residential development.

Rural 2 category areas are considered suitable for more widely dispersed residential uses compatible with natural land limitation and resource potentials. This land would provide for rural living without significantly enroaching upon agriculture and timberlands. There are approximately 160 square miles or 10 percent of the county classified in rural two.

The balance of the land in the county, 89 percent, is either in conservancy or Federal or State ownership. Conservancy categories are intended to conserve and manage existing natural resources in order to maintain and sustain resource yield and/or utilization.

Individual ownership of lands in Skamania County consist of only 16.8 percent of total county area, of which 8 percent is on full tax roll. The balance of 83 percent consists of 7.5 percent in State and 75 percent in Federal ownership.

If the Columbia River Gorge were placed under Federal management, it would almost virtually leave no private ownership—(management)—of land in the entire county. I have appendixes here, 1 and 2, indicating maps of these. Would county government exist if this were a fact?

In addition to the above regulatory bodies and comprehensive plan, all sites bordering on the Columbia River and its tributaries are subject to the regulations of Skamania County's shoreline management master program, a program approved by the State of Washington.

I believe Skamania County has done well to date in conservation and ecological concerns of the gorge. There is more yet to be accomplished which is recognized by the local government. Who is more sensitive and knowlegeable of the natural beauty of the gorge than its own people?

Yes, a management plan and zoning ordinance should be well studied and adopted. These are not accomplished overnight. Zoning ordinances are presently being studied and drafted by Skamania County.

The county of Skamania has been economically distressed with the demise of the timber industry. Skamania needs to diversify its economic base, attract new economic development compatible with the conservation and preservation of the natural beauty of the gorge. I strongly suggest Skamania County develop a management plan in coordination with the counties lying within the Columbia gorge. It can be done and it must be done.

Thank you, very much, Senator.

[The prepared statement of Mr. Jolly follows:]

STATEMENT AT THE PUBLIC HEARING ON THE FUTURE OF LAND MANAGEMENT OF THE COLUMBIA RIVER GORGE

PREPARED FOR: Senator Dan Evans

STATEMENT BY: Donald G. Jolly
Architect-Planner

NOVEMBER 8, 1984

STEVENSON, WASHINGTON
SKAMANIA COUNTY

1. Senator Evans, Ladies and Gentlemen of the audience, and especially those of you that are not present. My name is Donald Jolly, Architect and Land Planner, from Vancouver, Washington. I have been successfully active in Land Planning for 33 years from Washington to Florida, California to the Midwest.

Many of the projects with which I have been involved have been environmentally sensitive. I fully believe that all of us here today are environmentalists with conservation in mind. The large problem is the difference in philosophy and the approach to management of these sensitive lands.

There have been many statements made...and somewhat slanderous, by some of the supporters for Federal control of the management of the Columbia River Gorge, that specifically skamania County is lacking in interest and legal control or management of the Columbia River Gorge. This is just not so.

To date there are approximately 28 regulatory local, State, and Federal agencies which have input into each project. Their regulations, concerns and questions must be responded to and satisfied prior to final approval.

Skamania County in 1977 adopted "Skamania County Comprehensive Plan A," establishing the goals and policies of the "orderly future physical development of Skamania county. A great deal of time and arduous study was involved in the preparation of the "Comprehensive Plan." There are three land use areas designated in this plan.

Rural 1 - The Rural 1 category indicates areas of existing or present development. Much of this area is presently rural in character. The intent is not to alter this character. However, the potential for future development is greater here than for other lands within the county. The natural limitations are fewer and most areas are served by water systems, roads and electricity. More varied and denser development could take place within this land use category. There are only (12) twelve square miles within this designated area in the entire county or 0.7% of (less than 1%) of the entire county.

Rural II Category areas are considered suitable more widely dispersed residential uses compatible with natural land limitation and resource potentials. This land use would provide for rural living without significantly encroaching upon agriculture and timber lands. There are approximately 160 square miles or 10% of their county classified in Rural II.

The balance of the land in the county 89% is either in conservancy or Federal or State ownership. Conservancy catigory areas are intended to conserve and manage existing natural resources in order to maintain a sustained resource yield and/or utilization.

Individual ownership of land in Skamania County consists of only 16.8% of total county area. The Balance of 83.2% consists of 7.5% in State ownership and 75.7% in Federal ownership.

If the Columbia River Gorge were placed under Federal management it would almost virtually leave no private "ownership" (management) of land in the entire county. (See Appendix I and II)

"Would county government exist"?
In addition to the above regulatory bodies and Comprehensive Plan all sites bordering on the Columbia River and its tributaries, are subject to the regulations of the Skamania County Shoreline Management Master program, a program approved by the State of Washington.

I believe Skamania County has done well to date in the conservation and ecological concerns of the Gorge. There is more yet to be accomplished, which is recognized by the local government.

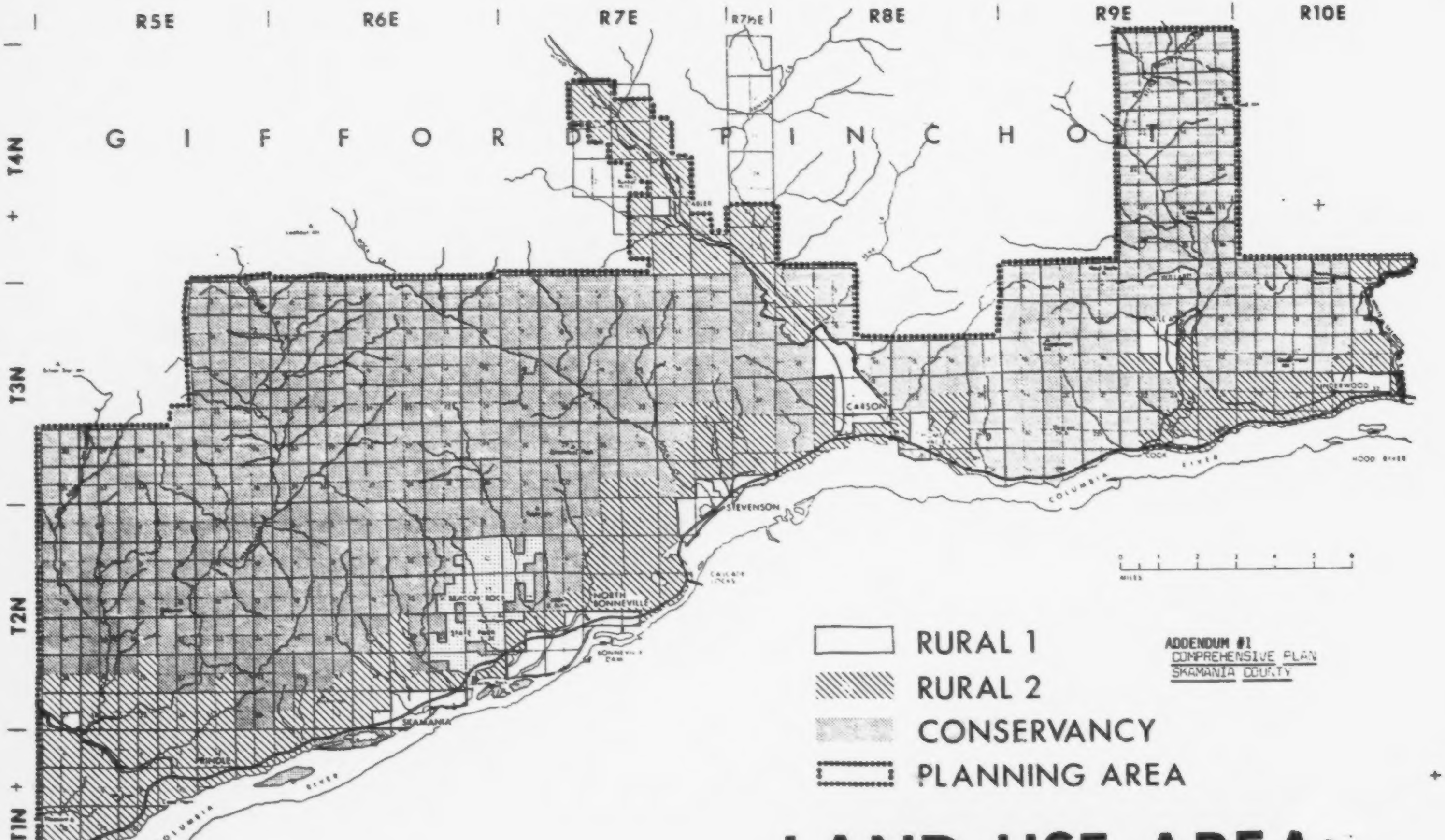
Who is more sensitive and knowledgeable of the natural beauty of the Gorge than its own people. Yes, a management plan and zoning ordinance should well be studied and adopted. These are not accomplished "overnight." Zoning ordinances are presently being studied and drafted by Skamania County.

The County of Skamania has been economically stressed with the demise of the timber industry. Skamania needs to deversify its economic base, attract new economic development compatible with the conservation and preservation of the natural beauty of the Gorge.

I strongly suggest Skamania County develop a "Management Plan," in coordination with the counties lying within the Columbia Gorge. It can be done and it must be done.

Thank you Senator Evans and to the audience

Donald G. Jolley


R5E
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T4N
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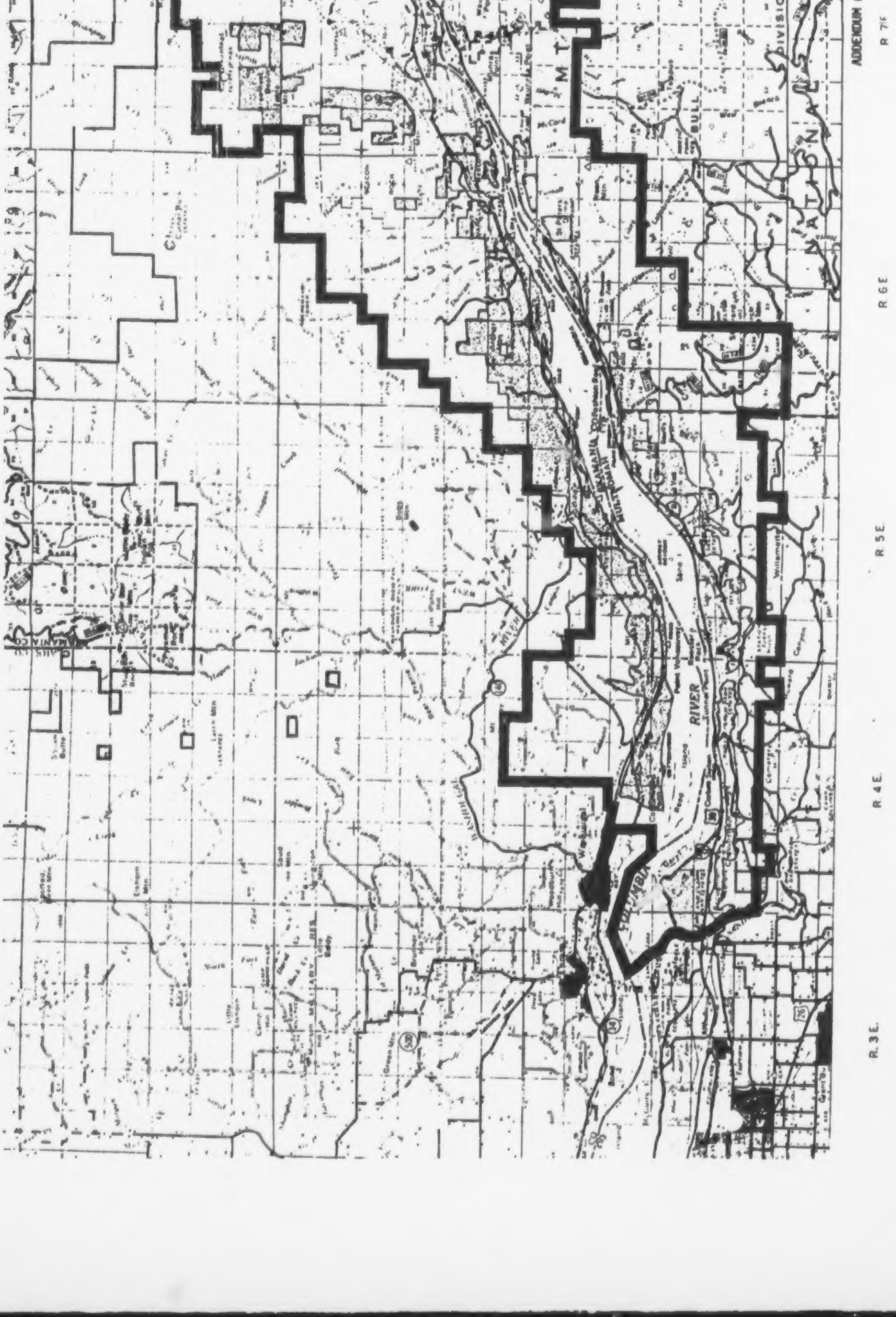
G I F F O R D P I N C H O T
CARSON
STEVENSON
UNDERWOOD
HOOD RIVER
COLUMBIA RIVER
CASCADE LOCKS
NORTH BONNEVILLE
BONNEVILLE DAM
BEACON ROCK
STATE PARK
SKAMANIA
0 1 2 3 4 5 6
MILES
RURAL 1
RURAL 2
CONSERVANCY
PLANNING AREA
ADDENDUM #1
COMPREHENSIVE PLAN
SKAMANIA COUNTY

LAND USE AREAS


ADDENDUM #2
PROPOSED FEDERAL MANAGEMENT AREA
R 7E
R 6E
R.5E
R 4E
R.3E
MT HOOD
NATIONAL
BULL RUN
DIVISION
HOOD RIVER CO.
MULTNOMAH CO.
SKAMANIA
MULTNOMAH
COLUMBIA
RIVER

Senator EVANS. Thank you.
Next is Carl Neuburger.

STATEMENT OF CARL A. NEUBURGER, PRESIDENT, CITIZENS FOR BETTER HIGHWAYS, INC.

Mr. NEUBURGER. Thank you, Senator. I'm Carl Neuburger, president of Citizens for Better Highways. This is a highway betterment group founded in 1978 and is established in Portland. It's an Oregon corporation. It was established to promote the improvement of highways and construction of such ancillary facilities necessary to enhance their use and enjoyment by the people.

Since our inception, it seems that most of the matters we have addressed have dealt with public safety. Once again, it is public safety that we wish to address at this meeting and, to a lesser degree, the convenience of the traveling public.

The bills introduced into Congress during the currrent session, as well as the previous one, proposing a national scenic designation for the Columbia Gorge appear to be written with the intent of turning a vast area, 480 square miles, into a raw wilderness, destroying local economies and abolishing representative government that is guaranteed by the U.S. Constitution.

At any given moment, on the average there are around 10,000 vehicles within the Columbia Gorge carrying probably over 20,000 people. Now, this is not the population of the gorge, this is through traffic. This is not surprising since the gorge is one of the Nation's chief arteries of commerce. Because of this fact, any action that would put such a large number of people at risk must be weighed with the utmost of care.

As you know, the proposed scenic area laws would exempt only the incorporated towns from the massive condemnation that the law could allow. We could lose many established settlements, homes and farms that now exist under the protection of locally established, representative government. In fact, many have been targeted for destruction by environmental extremists who are supporting these bills because they lie within so-called environmentally sensitive or critical zones which, in point of fact, is just about the entire gorge in their view.

Our concern began to become aroused when it was noted that one of these groups, the Trust for Public Land, was quietly buying up isolated properties to later resell, at a profit, of course, to the Forest Service. In one area, Wyeth, the traveling public lost the Rock Shop, a local tourist attraction and convenience stop. In fact, the entire settlement of Wyeth has been purchased, leaving the public at great risk in the event of entrapment by winter storms or slides that often close the highway in the winter.

In the settlement of Dodson, because of the threats to the existence of people's homes and businesses brought about by what is perceived as the imminent passage of one of these bills, people have closed their businesses and are trying to sell out. The area is an outstanding attraction for mountain climbers who once used the services that were available here. Since this town does not enjoy corporate status and lies in the sensitive zone, it would probably be condemned and destroyed, leaving not only stranded winter travelers at risk but also climbers involved in accidents seeking help.

Most of the Oregon side of the gorge is already under Government ownership, so any further loss of private land with its dwellings and people does serious disservice to the public that must use the gorge for travel. Rather than depopulate the gorge which is, of course, the ultimate goal of the radical environmentalists, people should be encouraged to settle in those areas that have, by tradition, been settlements down through the centuries. Instead, we find increasingly that long time platted land is being hindered from development by governmental regulations purposely and often arbitrarily formulated to keep people from the use and enjoyment of their own property.

A further depopulation of the gorge is highly probable if the current, proposed, Federal legislation is enacted. This would come about because timberlands from which many of the incorporated cities derive their income and tax base are also considered sensitive and would, of a certainty, be condemned through pressure by such extremist groups as Friends of the Earth, the Sierra Club, and the Audubon Society.

Citizens for Better Highways opposes any legislation that would take control of the lands in the gorge away from local authorities, both because of the harm that it could cause travelers seeking shelter or assistance in what is, much of the year, a wild, unsafe environment, and because extensive studies that we have made show that the type of rigid control a Federal presence would exercise is not needed and is a serious threat to the freedoms guaranteed to American citizens under the Constitution.

The developmental and population pressures proponents of Federal control say require such stringent measures simply do not exist. In fact, population generally has declined in the gorge from its high point in the 1930's. Planners such as Paul DeBonny of Clark County, a highly educated, experienced, and recognized authority in the field, say the gorge is simply not suited to the type of development that could degrade it. We feel that those developments which are being considered——

Senator EVANS. Could you please try to wrap it up? You've gone considerably overtime.

Mr. NEUBERGER [continuing]. Namely, those of a residential character which any community must accommodate, is only for the purpose of replacing deteriorating existing housing, is what the proponents don't want. They simply hate houses no matter how attractive or environmentally compatible they may be, and this is evidenced by the protests they register whenever a gorge community attempts to upgrade its housing stocks.

The questions the Senate committee has to decide is whether the citizens of the Columbia Gorge are going to be forced to live under the threats of extremists to dispossess them of their lands for no good purpose, or to continue the good job of management they, with the help of the two States' Columbia Gorge Commissions, are presently doing.

Much more than highway safety is at stake here. It is, rather, the very cornerstone of our Republic that is here at risk and it must not be made subservient to the desires of crazies who want to dominate our society.

Thank you, Senator Evans.

Senator Evans. Thank you, Mr. Neuburger.

Mr. Jolly, can you tell me what is the rural two category? What density of building does that allow?

Mr. Jolly. Rural two category presently is approximately one unit per 5 acres, Senator.

Senator Evans. And the other one, rural one?

Mr. Jolly. Rural one states, depending upon the situation, if there is a common well in development, you can get down to 12,500 square feet per lot.

Senator Evans. So, that's essentially a quarter of an acre.

Mr. Jolly. Essentially it states in there, if you look in the comprehensive plan, they allow on a state-wide density factor about three units per acre, that's the average thinking behind rural one development.

Senator Evans. From looking at the map you have, that's basically in and around the current incorporated areas?

Mr. Jolly. That is correct. If you notice on the map there, it involves around Stevenson, Skamania—which is one of the oldest communities in Skamania County—and around North Bonneville. Basically, those are the density areas. Those are existing community areas that are there presently. So, that indicates the thought that has gone into the long-range planning of the comprehensive plan. Granted, there is further identification that needs to be done, which I stated and which the county recognizes.

Senator Evans. OK, thank you.

Mr. Birkenfeld, do I understand correctly that on the bank loan thing you were talking about, this is a corporation essentially turned down for a bank loan because the banks were—what, just concerned about the uncertainty of the pending legislation and what it might do?

Mr. Birkenfeld. It nullifies the property value. It's that simple. It's nothing to do with our credit. They apologized and everything else. It's because of the gray area we happen to be in. We're just going to see that, I think. They either have to do it or don't.

I'm not saying that we need the Federal control, because I'm definitely against that. The Department of Natural Resources can control our mining and our timber industry in this State. I believe that this is an overall plan that goes back to the Columbia National Forest, but they don't have to do that now because they have what's called an inholder group.

If they shut us off from the river, the valley's no good. I live 11 miles up the Wind River Valley, and to get there you have to go through Carson and you pass the blinking light. It's the only blinking light in the county. You are in a rural county, Senator. That's just the way it is.

There's 6,000 people in this county. We happen to get a lot of timber money back from both the Federal and the State. But, the States timber is not going to be ready to harvest until after the year 2000 because of its age classification in the southern part of the county. But, the State has given up in excess of 12,000 acres in this gorge area that they feel that they can never harvest because of this bill. They must work with all the agencies, and everything else. We, being private, don't have to do that yet.

I have to speak for my own timber company, we would never build because we're in the timber industry. Out of the 3,400 acres facing the gorge, maybe 100 I could develop. The rest would be in timber management. But, if you say to preserve it and not allow me to log, then I've got to say no.

There's going to be some decisions made in this county that is going to affect this county. We're the ones that can make it scenic. When you go to Oregon, now, the reason you see the clearcut is because of myself, the people behind this clearcut. We were in a situation where it was blowing down, so we took 100 acres. All right? It wasn't ready yet, it was a down market, I wouldn't have liked to manage it that way, but I was forced to do it that way.

There's going to be a lot of saws start up here. It's not a threat. If we are forced to cut and run, we will all cut and run. Then everybody can wait 70 years and watch the trees.

Senator EVANS. What about the testimony this morning, I don't know if you heard it, of the people representing the timber industry about voluntary compliance with a variety of forest practices that would minimize some of the scenic problems?

Mr. BIRKENFELD. I was on the commission that established those rules 4 years ago with our input. The idea was not to have the roads cross if we could help it, to leave strips. We have did everything that we can.

Our biggest enemy in the gorge, other than Federal control and the Friends, is wind. We just can't get away from it. That's why they call it a gorge. We don't know how else to do it. There is no visible—there is not a clearcut that has been done in the country on the gorge area that, more than 18 months after harvest, hasn't been replanted with at least 600 trees per acre. The Department of Natural Resources requires 400.

It's our livelihood, Senator. My family has 14,000 acres. If they take it here, they go up the valley, they take it all. I just got done paying 10 years payments to the IRS at 50 cents on the dollar. If they hadn't did that, the Federal Government would have had our 14,000 acres. That's the way the rules are played. We live up to our obligation.

My mother, God bless her soul, told me 2 years ago to cut it. Maybe Mom was right, but I don't think so. I don't think the Government's going to do that to us.

Senator EVANS. OK. Thank you. Thanks, very much. That's helpful.

The next panel is Barbara Lee, Ted Schlapfer, and Hazel Wahl, please come forward. Are any of them here? One more time, Barbara Lee, Ted Schlapfer and Hazel Wahl.

[Pause.]

Next panel, panel F: Commissioner William Benson, Lowell Ash, Robert Barnes, Roy Craft, and Rosemary Garlick. Let's see, we have four out of five, Commissioner Benson's not here.

Lowell Ash.

STATEMENT OF LOWELL ASH

Mr. Ash. Senator Evans, my name is Lowell Ash.

Senator Evans. I must say, you've got a spectacular sign downtown.

Mr. Ash. I think you earned it.

Senator Evans. We went by it this evening.

Mr. Ash. I'm glad you did. It took a little work.

Senator Evans. Yes. Thank you.

Mr. Ash. Senator, I represent the Ash family. We've been in the gorge 125 years, us and our Indian friends. I'd kind of like to talk a few moments on history. In 1902 a devastating fire went through this gorge, burning from the east to the west for 3 or four days, and then it came back and burned from the west to the east. In a week's time the gorge as you know it today was completely destroyed, the Oregon side to the top of the mountains and clear back, from this side of Hood River clear to Cape Horn, completely decimated. My dad had to spend 6 or 8 days and nights on their home in Cascade Locks to save it. At noon everybody had to burn their lanterns.

Now, after that terrific fire a lot of the people left the gorge. Some of the tough ones stayed. My family stayed, along with their Indian friends. We got into this gorge in 1864 and we've seen a lot of history.

Now, after this devastating fire, naturally Mother Nature helped us a lot, but we made it what it is today. Now, suddenly, 80 years later, folks like the Friends of the Gorge show up and say, hey, you guys are dangerous, you guys have got to have collars on you because you may do something to wreck the thing. We're the very same people that put it together, like I say with Mother Nature, but suddenly we've become dangerous.

I'll tell you who's dangerous with the Friends of the Gorge, along with Senators Packwood and Hatfield, they've got a bill right on the steps of Congress just about to be signed telling the world we can't control our own real estate. We're dangerous. I'll tell you who's dangerous. It's the Federal Government. I'll make a few comments of why they're dangerous.

Let's take a look at Hanford. Everyday millions of gallons of hot water is dumped into the Columbia River. It's completely helped decimate the salmon industry. In the 1890's when my folks were in the gorge the river was full of fish the sternwheelers had to tie up down where Bonneville Dam is today and wait for the fish to go by. Now, today you can count them on a couple of hands on their migration over the dam. It's raised the river level 2½ degrees, incidentally, which is detrimental to fish.

I cite Coulee Dam, which is an 800-foot dam on the upper Columbia. It has fish ladder none in it. The river goes 200 miles on up into Canada. So, the people in the gorge are dangerous.

OK, I've got to get this going here. The logging practices down around Astoria and Cannon Beach makes the hills look like Frankenstein's bone yard. That's their practices.

On the north side of the Stevenson Ridge my family has maintained for 75 years three tree farms. I defy anybody across the river to identify them.

OK, back to the land values that the gorge people have forced upon us, Mr. Weyerhaeuser's company talked to me the other day, and I asked them some advice how to manage my property, asked them if they'd like to buy it. They said we wouldn't touch it with a 10-foot pole.

I'm going to cut this short. Mr. Evans, you came to us in 1964 as Mr. Evans, seeking the governorship. We supported you. We supported you through your Senatorship. In my living room we've got a picture of my dad cutting the ribbion for your Republican headquarters uptown. My father said watch his career closely because he's Presidential timber. That's why in my store uptown you saw that "Dan Evans in '88."

My punch line is: "We fed you a raw chicken in '64, Dan, but don't cook our goose in '84."

Senator EVANS. OK. That's great. Thank you, very much. Robert Barnes.

STATEMENT OF ROBERT W. BARNES, HOME VALLEY

Mr. BARNES. Senator, I'll do us both a favor, with your permission, and not read my testimony. But, I would like to make a few comments on some testimony we've heard today.

First, on something the Senator said himself, Washington, DC, is 3,000 miles away. When our problems was taken out of the gorge area and taken to Washington, DC, we thought it was 300,000 miles. Now, you today have brought it about 150,000 miles closer, and that is a very excellent thing for one Senator to do.

Now, as far as the bills that are in Congress, there are many of us that fear the Governors' bill more than we do Packwod's because it's inevitable, the way it's written, that there would be a moratorium, which the Senator caught right away from our Governor-elect testimony. That would be absoulute economic disaster if that were to happen.

But, my main point is, and I'm sure the Senator picked that up today, too, but in all the testimony the only people I heard willing to compromise and work for the problem were those from within the gorge. All the representatives of the county governments are willing to work. The only ones that won't are those from outside the area who adopted the environmental extremist's view and they won't move an inch.

Thank you.

[The prepared statement of Mr. Barnes follows:]

ROBERT W. BARNES
M.P. 50.37L State Road 14
Stevenson, Wa. 98648

NOVEMBER 8, 1984

TESTIMONY
before the
SUBCOMMITTEE ON PUBLIC LANDS & RESERVED WATER
of the
COMMITTEE ON ENERGY AND NATURAL RESOUCES—UNITED STATES SENATE

I am Bob Barnes of Home Valley. Twelve days ago in this hall Dixy Lee Ray, with typical Ray directness, gave this advice on addressing a Senate Committee hearing; TELL IT HOW IT IS. I will try.

In 1946, after a world shattering depression and three years, nine months and one day serving in the Army of the United States during a global war, we settled in Skamania County, Wa. This area offered a culture I needed. Neighbors and government were supportive but not intrusive. No one tried to fix things that didn't need fixing. Building and sanitary codes were not adopted until late sixties and the comprehensive land use plan until the late seventies because they had not been needed.

The economic rewards of living here have not been great, but we have been content and our extended family now includes eight great-grand children.

In early 1980 a skunk got into the hen house. Friends of the Gorge began a program which resulted in the Oregon congressional delegation introducing legislation that would have established a government for us administered by a Gauleiter sent out from Wash., D.C. This same group supported the new powerhouse and locks at Bonneville Dam but their legislation demands that every human habitation built after July 1, 1981 must be destroyed. Existing homes could stay if they met some unspecified criterion imposed by the Gauleiter, or they too must go.

We have been advised by well meaning people to compromise with this irrational, unrealistic thinking. We cannot understand this insanity and will never compromise with it.

In this world people live under totalitarian rule or govern themselves. Living in Skamania County the past four years has been frustrating, frightening and traumatic as we contemplate totalitarian rule. And THAT'S the way it is in Skamania County, Wa. in 1984.

Personal Copy for Senator Evans

Robert W. Barnes
M.P. 50.37L State Road 14
Stevenson, Wa. 98648

November 8, 1984

TESTIMONY
before the
SUBCOMMITTEE ON PUBLIC LANDS & RESERVED WATER
of the
COMMITTEE ON ENERGY & NATURAL RESOURCES—UNITED STATES SENATE

COMMITTEE MEMBERS:

Preservation of the Columbia River Gorge was and is a complex issue. The National Park Service study of 1979 indicated that the level of development combined with 41,000 residents made it a non-candidate for a National Park. Despite this an environmental lobby group has pushed for a National Scenic Area which goes far beyond anything suggested by The National Park Service in their four alternatives. The tactics used by this group together with unrealistic demands for peservation, and management plans which excluded local residents, has polarized the sides beyond hope of compromise.

People in the Gorge are either life time residents or moved here from similar rural backgrounds. To be moved from homes and land at the end of a lifetime into an alien urban environment is frightening. Coping in an environment of muggings and robberies; living behind locked doors afraid to go outside to polluted air is traumatic, even in contemplation.

The Columbia River Gorge has three distinct areas and does not need the "Two States, One Gorge" under federal legislation as advocated by this outside lobby group. Such an approach could easily destroy that which they seek to preserve.

I make no recommendation for the State of Oregon. For Washington State I suggest:

> A management plan patterned after the Washington State Shorelines Management Act. This plan established mandatory guidlines administered by local government and applies equally to the entire state. The only useful role for the federal government would be money grants to purchase those truly critical areas. My cost estimate for these purchases would be less than $1,000,000.00. Adminstration would be by local governments and would require only the addition of one or two low to middle level personnel.
>
> This is obviously oversimplified, but it would work, would do a better job, would have the enthusiastic support of local residents, and would cost about 1/100th a National Scenic Area.

I am a 57 year Columbia River Gorge resident. Given the polarization existing today, no management plan imposed upon the people against their will and administered by any board who owe their allegiance to politicians from urban areas outside the Gorge, can succeed.

"Of the people, by the people, for the people" is our heritage and should not be taken lightly.

Thank you

Robert W Barnes

Robert W. Barnes
M.P. 50.37L State Road 14
Stevenson, Wa. 98648

Senator **Evans**. Thank you, very much.

Roy Craft.

STATEMENT OF ROY CRAFT, STEVENSON, WA

Mr. **Craft**. I'm going to forego my remarks because I wrote them out for the record, and most of my friends here know my position.

I do want to make one remark, Senator. We enjoyed your visits here when you were Governor, we enjoy your visit today as Senator, and we appreciate you and your staff having the time, the patience and the interst to listen to our side of the story. This is something that doesn't happen on the Oregon side of the river.

[The prepared statement of Mr. Craft follows:]

PREPARED STATEMENT OF ROY CRAFT, STEVENSON, WA

My name is Roy Craft. I am a native of Washington State and for the past 26 years have been a resident of Stevenson. I was for many years editor and publisher of the Skamania County Pioneer. I am now retired but maintain my identity as a newspaperman and write a weekly column as editor emeritus.

It is a pleasure to welcome Senator Evans and his staff to Skamania County. We enjoyed his visits as Governor and we who are opposed to a federal takeover of the Columbia River Gorge are heartened by the knowledge that our Washington senators are approaching the problem with open minds.

The need for federal control is based on a false premise, nurtured and promoted by environmental extremists who have spent hundreds of thousands of dollars on a carefully crafted campaign of propaganda depicting Skamanians as money-hungry despoilers of the landscape.

Similar campaigns might well be launched in the San Juan Islands, on Hood Canal or in an beauty spot in the state, and the money would roll in to professionals who have discovered that there are big bucks in environmental scares.

The criteria established by the Friends of the Gorge and implemented in pending legislation is simple. No one will be allowed to live in Skamania County except in Stevenson or North Bonneville, if his roof-top is visible from the Oregon side of the Columbia. People have been living in this vibrant artery through the Cascades for thousands of years but now, according to the Friends, people are pollution.

In my 26 years here I have seen many changes take place and all have been for the better. We now have no dirty industry and it was Skamania County, not the outsiders, who turned down proposals for an undesirable pulp mill in the Gorge.

We don't need federal control to save Skamania County. We who know and love the Gorge have already saved it.

Senator **Evans**. Thank you, very much.

I have to say at this point that I remember once, about 21 years ago, coming down here long before the campaign really started in 1964, and knocked on your door and you listened to me, then, too. That was very nice. I don't think you understood what in the world this crazy guy was doing coming down here, but I've enjoyed that ever since.

Next is Rosemary Garlick.

STATEMENT OF ROSEMARY GARLICK, SECRETARY, WILLARD WOMEN'S CLUB, WILLARD, AS PRESENTED BY VIVIAN FISHER

Ms. **Fisher**. Senator, Rosemary Garlick is secretary of the Willard Women's club. She cannot be here today. My name is Vivian Fisher, past secretary, and I will present the club's testimony. It's signed by Alice Garrett, our president.

The Willard Women's Club has played an active and important part in Skamania County's community and culture for the past five decades. We love the gorge and want to preserve its beauty and grandeur. We feel this can best be done on the local level.

Many of us have out whole life's savings invested in our homes and our land, and this is where we want to continue to live. A Federal land takeover would destroy our communities, our homes, our jobs, and our rural heritage.

We believe in the right of the individual to own and cherish his or her own property without interference. Isn't that what our forefathers wanted when they founded this country?

We, in Willard, live quite closely with the Forest Service. Even though many of our friends work for the Forest Service, they know as well as we do they have no control over Forest Service policy.

In Chenoweth precinct, in which Willard is located, all but a handful of the residents work for Broughton Lumber Co., the Forest Service, the national fish hatchery or the Skamania County road department. Considering the large number of Federal workers, the result of Skamania County's special advisory referendum on proposed gorge legislation at the general election 2 days ago is significant. The results in Chenoweth precinct were local control, 157; Packwood bill, 20; Governors' bill, 13.

The Gifford Pinchot's Moss Creek campground just a mile north of our clubhouse is seldom open for the opening day of fishing season, Memorial Day weekend, and always closes the day before hunting season begins. It is open only 4 months a year.

If the national scenic area legislation is enacted, all the gorge will be locked up except those approved developments in the so-called exempt areas, and the few who benefit will be those privileged to build and operate the approved destination centers that will be allowed. Oregon's travel director and Oregon's Economic Development Commission are trying to arrange for exemptions from land use laws for tourist destination resorts, saying the gorge cannot be marketed without such exemptions.

But, these are not the real issues we should be considering. We should decide what the most important values are for us as a nation. There are many scenic countries in this world whose people are the victims of all-powerful governments. We wonder if their scenery is any consolation to them.

The founders of our Nation asserted the idea of inalienable rights, rights that belong to human beings just because they are human beings and not conferred by government and, therefore, not to be denied by government. The U.S. Constitution does not limit people, but government itself. We are concerned that the Federal Government has forgotten that it must have the consent of the governed. We have not forgotten.

Senator EVANS. Thank you, very much.

William Benson.

STATEMENT OF WILLIAM V. BENSON, MASTER, CASCADE POMONA GRANGE

Mr. BENSON. I'm Bill Benson, a Skamania Country commissioner, but I'm here in the capacity of the newly elected master of Cascade Pomona. I'm sure you've been in Washington politics long enough to know what the Washington State Grange is and what the Pomona is in it.

We passed a resolution opposed to Federal control:

> Whereas, the Columbia River Gorge is the home of 41,000 Americans who live there by choice and as free citizens, and;
>
> Whereas, legislation has been introduced to place the Columbia Gorge under centralized federal control, giving a federal agency or commission discretionary authority to condemn or restrict the use of private property, and;
>
> Whereas, this legislation has been supported by the Governor of Washington state and the members of the Washington state Congressional delegation, and;
>
> Whereas, Cascade Pomona Grange 43 in 1982 opposed federal control of the Columbia Gorge as unnecessary, counterproductive and destructive of the best interests of the local population, and the agricultural community at large, and;
>
> Whereas, the Washington State Grange, Oregon State Grange, National Grange and over 50 other organizations have taken formal action opposing federal control of the Columbia Gorge, and;
>
> Whereas, the Washington state Legislature sent to Congress in April, 1983, a memorial adopted by a three-to-one bipartisan majority asking Congress to refrain from consideration of Columbia Gorge federal control legislation;
>
> Therefore, be it resolved, Cascade Pomona Grange 43 requests the Governor of Washington and all members of the Washington Congressional delegation to withdraw their support for any of the federal control bills pending in Congress, and request Congress to refrain from further consideration of said legislation.

Thank you.

Senator EVANS. Thank you, very much.

Perhaps this is a little repetitive of something I said much earlier this evening, but we should keep in mind that if any Federal legislation is to be considered, it doesn't necessarily have to be of the kind that I think has been suggested by the testimony here. It may look like that with some of the bills introduced, but it can take whatever form or have whatever framework the Congress would ultimately choose. I don't even know what other forms Federal legislation might take or what form an incentive program might take at the Federal level that could be supportive and could fit in with what people are attempting to do at the local level.

So, I would hope that everyone wouldn't just reject out of hand any Federal legislation. Some of it could end up being supportive and helpful. It doesn't necessarily have to take the same form as the Federal legislation that's already been introduced. But, I'm sure that the focus you have on Federal legislation is on that which has already been put in front of Congress, and it's not necessary to have it all that same way.

Mr. ASH. Governor, don't you feel that the Federal Government has got too many failures in running any kind of a business that involves private enterprise?

Senator EVANS. Well, I think there are some successes.

Mr. ASH. Well, you know, I'd cite the post office. A few things like that are dismal failures. When it comes to private know-how, it just seems that—it seems like, when you go by a Federal project that the Corps of Engineers has built, you see their cute little sign outside, their little castle, that says "built, constructed, and run by the Corps of Engineers," that's a misleading statement. Private enterprise in America built that. The Corps of Engineers might have laid down the specifications, but private enterprise gave them the know-how to do the job.

Senator EVANS. Sure. Most things like that have been a cooperative venture. I get mad at the post office lots of times myself, but it churns out more mail—too much. I wish the post office weren't as efficient as it is. If they'd just mislay about half the stuff that gets to my post box, I'd be happy. Except my campaign material, that is.

Thank you, very much. I really appreciate it.

Next, Phyllis Clausen, Janice Ferguson, Richard Hamby, Vern Veysey, John Karpinski, and Erskine B. Wood.

Phyllis Clausen.

STATEMENT OF PHYLLIS CLAUSEN, VANCOUVER, WA

Ms. CLAUSEN. My name is Phyllis Clausen. I'm a resident of Vancouver, but in a very real sense my community involvement for a number of years has spanned the gorge. This is because in Klickitat County I own and work a farm that borders the White Salmon River. Traveling through the Washington Gorge at least twice a week and keeping up on proposed developments, I am disturbed by the types and rapid pace of changes occurring along this corridor due to there being no orderly management plan.

My farm is linked to the Columbia River Gorge by the White Salmon, which plays a significant role in the beauty of the gorge. Our extensive community effort there has resulted in preserving the White Salmon as a multiresource enjoyed for rafting, kayaking, fishing, and simply for its scenic beauty. At Northwest Power Planning Council hearings, I testified before you, Senator Evans, on the value of returning salmon and steelhead runs to the White Salmon. I appreciate today, as I did them, the really important opportunity you have given the public to be heard. Together, my farm neighbors and I are active also in the fight to preserve permanently the farmlands of our valley.

Given these positive experiences of local folks helping themselves by working together, why am I saying, as I am, that the Packwood-Hatfield legislation, which includes all three levels of government, is the only concrete, practical solution to a difficult problem now visible on the horizon? Some of my considerations are these:

First, it should be noted that it was individuals working together, not Klickitat County government, that has been instrumental in river and farmlands preservation efforts. The Klickitat Public Utility District wanted to dam the river, and repeated zoning reviews, as well as approval of variances to the zoning codes by the county planning commission and the county commission in response to developers' pressures, threaten the farmlands and open space lands in western Klickitat County.

Further, the task is beyond the scope of local or even local-State combined to cope with. A practical approach will include all of the entities, private and public, including all three levels of government that have been operating in the gorge for many years.

Taking a leaf from corporate management, one would expect that whoever has the capacity to bring together the units into a functioning whole should be the administrator. That is the Federal Government with its funding and land-trading powers, as well as its capacity as an arbiter.

Finally, a realistic plan should embrace a regionwide solution. Nothing piecemeal, or politically inspired, or so uncertain in approach that the language invites challenges at every turn will suffice. We might as well look with a clear eye at the requirements for an equitable way to protect all of the gorge resources—its land, people, its plants and animals—and then we won't be back struggling to mend the fabric of the legislation, which is always a bigger job the second time around.

The basic Packwood-Hatfield bill passes the pragmatic test an effective gorge management plan must need, and I believe it will be a good framework for the future.

Senator EVANS. Thank you.

Janice Ferguson.

STATEMENT OF JANICE FERGUSON, SKAMANIA COUNTY, WA

Ms. FERGUSON. Good evening. My name is Janice Ferguson and I am a property owner in Skamania County. I would like to talk about the importance of including the tributaries in a Columbia Gorge bill. The important rivers in Washington are the Upper Washougal, Wind, White Salmon, Little White Salmon, and the Klickitat.

The benefits of protecting the tributaries are numerous. First, these tributaries are the spawning grounds for a wide habitat for hatchery fish.

The habitat provided by these tributaries support populations of ospreys, bald eagles, and the peregrine falcons. The Klickitat drainage is perfect habitat for golden eagles. The tributaries are also home for mink, river otter, beaver, and muskrat.

Jobs and moneys can be generated through the fishing industry and tourism, but this will only be possible if the tributaries are kept in their present state.

The tributaries are threatened by small, hydroelectric developments. At this time, the Wind, White Salmon, and Little White Salmon are threatened with preliminary, small, hydroprojects. These dams will reduce fish runs and the destruction of habitat will have an adverse effect on resident mammal populations. In the Gifford Pinchot National Forest alone, there are 30 applications for small, hydroelectric projects.

Housing developments along the banks of the tributaries will affect water quality and destroy valuable habitat. Massive clearcuts also threaten water quality and the quality of the spawning grounds of our remaining native fish population.

Local zoning, the Forest Practices Act, and FERC are not adequate in protecting the tributaries. In any conservation-oriented Columbia Gorge bill, the major tributaries of the Columbia River should be protected by wild and scenic river status.

Thank you.

Senator EVANS. Thank you, very much.

Next, Very Veysay, Clerk County Commissioner.

[Pause.]

Senator EVANS. Not here.

Richard Hamby.

Not here.

Ed Robertson.

Ms. CANNARD. I'm speaking for Ed Robertson. I'm Virginia Cannard. He could not stay, and he asked me to read his testimony for him.

Senator EVANS. All right, go ahead.

Ms. CANNARD. So, this is his testimony, Senator Evans.

STATEMENT OF ED ROBERTSON, CLARK COUNTY, WA, AS PRESENTED BY VIRGINIA CANNARD

Ms. CANNARD. I have been a resident of Clark County since 1924. Over the years I have been a frequent traveler throughout the Columbia River Gorge. The unique beauty of much of the area has absorbed most of my attention.

However, my purpose for coming before this meeting is not to recite the wonders of the gorge, but rather to share my concerns about the lack of a comprehensive, coordinated, land use plan for the area. It is all too evident to me and I am sure to others that the lack of such a plan is the greatest threat to the preservation of the Gorge as a national treasure. Developing a land use plan which will address both the natural phenomena and the manmade aspects of the area will, without a doubt, be difficult. The final question comes down to whether the people of Washington and Oregon and, for that matter, the rest of the Nation, want to preserve the natural beauty of the gorge. Perhaps the need to plan was not as evident 50 or 60 years ago, and yet there were those who recognize and spoke out about the lack of planning as long ago as that and even before.

Today, population growth in the Pacific Northwest and particularly in southwest Washington is as great as it has ever been in the history of the area. Neal R. Pierce and Jerry Hegstrom, in their illuminating treatise "The Book of America," comment as follows about this area:

> During the decade of the 1970's, Clark County registered an amazing 49.6 percent increase in population, virtually all outside its lead city of Vancouver. An invidious comparison to Oregon is hard to avoid. While that state has pioneered in land use planning, Washington politicians have been unwilling to take the political heat for applying such controls. So, now their state pays a high price in urban sprawl. In the case of Clark County, the sprawl even threatens to urbanize the magnificent Columbia River Gorge.

There is no doubt in my mind that the citizens of the Pacific Northwest can work together to preserve the integrity of the Columbia River Gorge. I am also certain that to do so they must have the guidance of a neutral, nonvested third party. I support the Hatfield-Packwood bill, S. 627, as the best possible, presently available beginning for the coordinated, comprehensive land use plan which should be developed to ensure the preservation of the unique beauty and grandeur of the Columbia River Gorge for the enjoyment of the present and future generations of this great land.

Senator EVANS. Thank you.

Next, John Karpinski.

Mr. KARPINSKI. First of all, I'm going to have to change my speech. It originally started out good afternoon.

Senator EVANS. Also, I think there's a good deal of it which repeats much of what has been said. So, if you could compress it, it would help.

Mr. **Karpinski.** OK.

STATEMENT OF JOHN KARPINSKI, SECRETARY-TREASURER, COLUMBIA GORGE LEGAL DEFENSE FUND

Mr. **Karpinski.** My name is John Karpinski. I'm the secretary-treasurer for the Columbia Gorge Legal Defense Fund. We've been very active in litigation in attempting to preserve the ecological aspects of the Columbia River Gorge from unwarranted development. It's our position that the counties do not have the laws to enforce and protect these environmental amenities, nor do they have the funding to be able to do so.

We've had a great deal of difficulty with Skamania County, which does not have a zoning ordinance. It approved two projects which we feel to be environmentally disastrous, the Hidden Harbor project and the Rizor project.

But, these problems aren't simply Skamania County. Right now, the Columbia Gorge Legal Defense Fund is working in conjunction with the Columbia Gorge Coalition and some local property owners sueing based on Klickitat County's gorge overlay zoning. In our opinion, the gorge overlay zoning is a total failure.

The Burdoin Mountain area just outside of White Salmon is zoned 20 acres according to the gorge overlay zoning. But, through the use of contiguous short plats it has been chopped into five-acre and smaller parcels, which is now in litigation to overturn the Klickitat County's approval of these short plats over the recommendations of the planning commissioner. We feel that the gorge overlay zoning does not work.

Clark County has not been immune to this, the problems we've been having with Steigerwald Lake being zoned, you know, a major wetlands area in the gorge, being zoned heavy industrial. Even LCDC, which is supposed to be the state-of-the-art land use controls, is not immune from the developmental pressure that is current in the Columbia Gorge. Wells Island, where the large blue heron rookery is slated for hotel and other type development, shows that no matter what kind of a land use system these local governmental units establish, it's not going to be good enough.

The short-term economic pressures for development in these counties, even if they had a type of land use system like the LCDC it's not going to be enough. We need Federal control, we need Federal coordination, we need that sort of Federal support. We need that funding. They don't have the funding to enforce these laws.

So, what of the Columbia Gorge Legal Defense Fund request is that legislation be implemented immediately. We're performing a holding action here and we cannot do it forever. We cannot rely on litigation and we cannot rely on the trust for public lands to be saving the Columbia Gorge. We need legislation, we need strong Federal legislation. We would like the Federal legislation to have strong, directory language to say what the lead Federal agency is supposed to be doing and how they're supposed to be managing the land, and we would think that they should be directed to preserve the scenic, fish and wildlife resources of the Columbia River as its primary priority.

Also, I'll quickly refer to some things that were brought up earlier today. You were asking for an example of where the Park Service was in charge of an area that was somewhat akin to what we're talking in the gorge. I believe the St. Croix River in Minnesota is exceptionally similar to the gorge, and the National Park Service has been in charge of that area and it's been proven to be a success. I can provide you with that information.

Also, a lot of local land use controls rely on covenants to achieve their environmental amenities. These covenants are generally unenforceable by the general public and are waivable by all parties involved. So, we do not feel that the covenants are an adequate land use control in this case.

Thank you, very much, for the time.

[The prepared statement of Mr. Karpinski follows;]

Columbia Gorge Legal Defense Fund
1701 Broadway #194 Vancouver WA 98663 (206) 696 4280

Good afternoon Senator Evans, and other distinguished visitors to the Columbia Gorge. My name is John Karpinski, and I am the Secretary/Treasurer for the Columbia Gorge Legal Defense Fund. The Legal Defense Fund has been formed to protect the Columbia River Gorge from unwarranted and often illegal developments. We believe that it is absolutely imperative that gorge legislation be quickly passed and implemented, because the counties do not have the laws and funding to adequately protect the scenic and ecological attributes the Columbia River Gorge.

There has been problems in every county in the gorge, regardless of what type of zoning or other environmental restrictions the county has placed. There has been a great deal of difficulties with the developments approved in Skamania County, which has no county zoning ordinace. The county approved two environmentally disastrous subdivisions, the Hidden Harbor project and the Risor project. These projects were simply too big, and no effort was made to mitigate the environmental damages of these projects. Fortunately, the intervention of the Trust for Public Lands saved the Columbia Gorge from the impacts of the Risor project, and the Hidden Harbor development is currently in litigation.

But the problems are by no means limited to Skamania County. In Klickitat County's much heralded gorge overlay zoning has proven to be a failure. Although the Burdon Mountain area is within the 20 acre gorge overlay zone, most of the mountain has been cut into 5 acre and smaller pieces through the use of contiguous shortplats. The Legal Defense Fund, in conjunction with the Columbia Gorge Coalition and other interested parties, are currently ligigating Klickitat County's approval of these shortplats.

Clark County has not been immune to the strong development pressures in the Gorge. Steigerwald Lake, a major wetlands area in the Columbia Gorge, was zoned heavy industrial according to Clark County's master plan. Fortunately, the senate approved a 8.5 million dollar appropriation to purchase the Steigerwald wetlands area as mitigation for the Bonneville Dam.

Even Oregon's famed L.C.D.C. has not been sufficient to protect the Columbia Gorge. In Hood River County, Wells Island, a large rookery area for the great blue heron and the Canadian geese has been proposed for a conference center and hotel and other facilities. This is one of many projects which we feel incompatible with protection of the Columbia Gorge on the Oregon side of the river.

Even the states have taken actions inconsistent with Gorge protection. The State of Washington proposed a sale of 40 acres of Beacon Rock State Park, which is for all intents and purposes the only public park on the Washington side of the Gorge. It was only the strong public outcry by environmentalists and Skamania County officials that this proposal was tabled, but not rejected.

In addition the federal government's consideration of 30 small head hydro projects in the Gifford Pinchot National Forest alone can have massive impacts on the Gorge.

While litigation may delay the degradation of the Columbia Gorge, it is obviously not the answer.

What is needed is strong legislation to protect the scenic and ecological resources of the columbia gorge. We of the Legal Defence Fund feel that strong federal control is necessary to achieve the accountability, coordination and funding necessary to protect the gorge. In addition, we would request that strong directory language be included in the gorge bill which would require the lead federal agency to preserve the scenic, and fish and wildlife resources of Coumbia river as its primary priority.

Senator EVANS. Thank you.
Erskine B. Wood.

STATEMENT OF ERSKINE B. WOOD, VANCOUVER, WA

Mr. WOOD. Senator Evans, thank you for sticking this out so long. I thought if you could, I could, too.

My name is Erskine B. Wood. I live in Vancouver, WA. I'm a third generation resident of Vancouver, WA. I'm a lawyer, senior partner in the Portland, OR, law firm of Wood, Tatum, Mosser, Brooke & Holden, and we're celebrating our 100th year with the name Wood in the firm.

My grandfather was Henry J. Biddle, a long-time resident of Clark County and a geologist. In 1915 he bought Beacon Rock with the primary purpose of preserving it against being blasted as a rock quarry. He also acquired Biddle Butte and Hamilton Mountain. I and my Biddle relatives still own Biddle Butte, which is known as Mt. Zion within this zone.

After my grandfather's death, my mother, Rebecca Biddle Wood, and my uncle, Spencer Biddle, gave Beacon Rock to the State of Washington, and also Hamilton Mountain, creating the very fine park there now. But, there's a little story behind that. They wanted to give it to the State of Washington and they couldn't get any interest in the local residents in this area toward accepting that as a Washington State park. The State of Washington, without interest on the part of the local residents here, didn't really want to accept it. So, our family began negotiating with the State of Oregon. The State of Oregon indicated a willingness to accept Beacon Rock and make it an Oregon park on the Washington side of the river. That I think rather shamed the State of Washington into accepting it, so it was given to the State of Washington.

Of course, that was all 50 years ago. But, it was kind of an interesting background, that at that time it wasn't appreciated so much on this side of the river as it was on the Oregon side of the river. But, now I know that Skamania County is very proud of Beacon Rock and Hamilton Mountain.

Now, I support Federal legislation for protection of the gorge. This is somewhat contrary to my general philosophy. My other grandfather, C.E.S. Wood, quite a wellknown author, painter, poet, and so forth, wrote a book called "Too Much Government." Basically, I think we have too much government and far too much regulation. Nevertheless, I think that Federal protection of the gorge is necessary because of the peculiar situation of an interstate river, and the difficulty of having local municipalities on both sides of the river control it. I don't think that they have the adquate means, and I don't think the municipalities have the adequate powers and I think there's too much overlapping jurisdiction. I think you have to have some unified jurisdiction over this area in order to protect it.

I certainly understand the concern of local residents about Federal jurisdiction over this, but I think they're probably unduly concerned about Federal control. The Federal Government isn't going to take away all their property, as they fear.

This is a national treasure, I don't need to tell you that. In my law practice, I have visitors from Tokyo, visitors from London, and the first thing I always do is drive them up here. They're tremendously impressed with this area. It's a national treasure. Posterity will thank you, I think, Senator, for helping preserve it.

I just want to tell you that I've admired your patience, your humor, and your incisive questioning. I told some of your staff when you got tired of being a Senator, I'd love to support you as a Federal judge. I've practiced before a lot of judges, and I think you'd made an excellent one but they tell me your background is an engineer.

Thank you.

[The prepared statement of Mr. Wood follows:]

Testimony of Erskine B. Wood
appearing before the
Public Lands and Reserved Water Senate Subcommittee of the
Senate Committee on Energy and Natural Resources
November 8, 1984
Stevenson, Washington

Senator Evans and members of the Committee: I appreciate this opportunity to say a few words for the protection of the magnificent Columbia River Gorge.

My name is Erskine B. Wood. I reside in Vancouver, Washington. I am a lawyer, senior partner in the law firm of Wood Tatum Mosser Brooke & Holden of Portland, Oregon. Our firm is this year celebrating the 100th anniversary of my grandfather C.E.S. Wood joining the firm. Like other members of my family, and many other residents and citizens of Vancouver, I cross the Columbia every day to work in Portland.

My maternal grandfather, Henry J. Biddle, having studied Geology at Yale and in Germany, came the the Northwest as a young man. The Columbia River Gorge was a major interest in his life. As you may know, Beacon Rock, which I assume you saw as you drove here today, was a landmark for Lewis & Clark and mentioned in their journals. My grandfather rescued this natural wonder from being reduced to rubble by quarry operations. He purchased the rock in 1915 and made it public park and he carved the first trail out of the rock to the summit. He also purchased Biddle Butte, known as Mt. Zion, a dormant shield volcano about ten miles to the west and operated it as a public park. This butte has a spectacular 360° view from the summit, which serves as a microwave communication station for Bonneville. I and members of the Biddle family still own Biddle Butte.

After the death of my grandfather Henry J. Biddle, my mother, Rebecca Biddle Wood, and my uncle Spencer Biddle wished to give Beacon Rock to the State of Washington as a park. At that time, in the 1930's, local people on the Washington side of the Columbia did not press for inclusion of Beacon Rock in the Washington park system. That illustrated their lack of appreciation of the great national scenic values of the Gorge. Without local enthusiasm at that time, it was difficult to get the State of Washington to accept the gift. However, after negotiations with the State of Oregon, under which Beacon Rock would have been gifted to Oregon and an Oregon state park created on the Washington shore, the State of Washington was prodded to accept the gift. Beacon Rock thus became the nucleus of what is still the only Washington state park in the western part of the Columbia River Gorge.

Although the Oregon side of the Gorge has been well preserved and there are numerous state parks and viewpoints, little has been done to preserve the Washington side of the Gorge. It is threatened with unplanned random development. Trailer parks, clear-cutting of timber, and haphazard construction. This must end.

The Columbia River Gorge is a magnificent and priceless national treasure. In my profession, I have numerous clients in England and Japan. Each time one of them calls here, I or someone from our office drives them up the Columbia River Gorge. They are tremendously impressed by Beacon Rock, Multnomah Falls, and the magnificent grandeur of the entire Gorge.

Strong federal legislation to protect the scenic and recreational values of the Columbia River Gorge is essential. It cannot be left alone to local governments or to the states which border the river on each side. Each is jealous of its jurisdiction and may succumb to the desire to foster economic development. If this great, natural wonder is to be properly preserved, it must be pursuant to federal legislation under the administration of the United States Park Service or Forest Service. Nothing short of the very best protection and preservation can be tolerated.

Thank you Senator for sponsoring this public hearing and allowing me to state my views.

Senator EVANS. Thank you. Of course, I've always thought that we needed a few people on the Federal bench that weren't lawyers, anyhow. [Laughter.]

Thank you, very much. That's fascinating history. I would imagine, even in the 1930's when resource development money was hard to come by, the challenge of Oregon running a park on our side of the river was enough to generate a little action.

Mr. WOOD. It brought action.

Senator EVANS. Well, thank you all very much, that's very helpful to us.

Next, Sherry Esch, Vern Good, Madge Keys, Agnes Peterson, and Marian Sahageian.

First, Sherry Esch.

STATEMENT OF SHERRY ESCH, CARSON, WA

Ms. ESCH. For at least 50 years we in the Columbia River Gorge have heard the strident claims of the environmentalists as they shout that the gorge faces overdevelopment. When the Government constructed Bonneville Dam, some claimed that the gorge would be turned into the Pittsburgh of the West. Obviously, that did not occur. Actually, there has been no great population growth in the gorge due to a host of conditions, including economic and natural factors. So, now once again we must face these groundless claims merely because the I-5 bridge was constructed. Over the years there have been numerous bridges spanning the Columbia River with undue effect.

Senator Evans, I suggest that the rhetoric of this issue be put aside as we study the true motives behind the latest push to displace the 41,000 gorge residents to turn 320,000 acres into a government-owned and Government-controlled Federal park.

Over the last 4 years a pattern has emerged. It is not apparent that the proponents of Federal legislation do not actually oppose development, just as long as it is their kind of development, compatible to their tastes and desires. Case in point: the Plainfield development, a huge resort complex planned for the heart of the gorge and utilizing our tax dollars, has been endorsed by the Friends of the Gorge. They actually stated that this is what they had envisioned for the gorge. Even our Congressman was recently quoted as stating that we should build more motels, et cetera

The statement is clear. Resort complexes and such are welcome with open arms, but heaven forbid if you try to build a house, set up a mobile home, or sell a portion of your land. The threat of lawsuit looms ever closer.

A close look at the existing legislation will show you that the authors labored under the misconception that government ownership is equated with preservation. This is a precedent-setting test case of immense repercussions for all Americans. No longer will we be free to live and work and govern overselves as other Americans. Would you want to live under a proposal that planned condemnation of at least 32,000 acres of private land? How many homes and farms will that destroy? How many businesses? Include your county as a unit of the National Forest System, never again able to experience the autonomy of a free and independent people? Deprive men and women of employment, as all business outside of a tiny, exempted area is removed becuse of incompatibility?

Yes; God created a beautiful, majestic land. But, He also created a very special people. America's greatest resource has always been her people. Too many have forgotten that.

Thank you.

[The prepared statement of Ms. Esch follows:]

November 8, 1984

Senator Evans:

For at least 50 years we, in the Columbia River Gorge, have heard the strident claims of the environmentalists as they shout that the Gorge faces overdevelopment.

When the government constructed Bonneville Dam some claimed that the Gorge would be turned into the Pittsburgh of the West. Obviously that did not occur.

Actually, there has been no great population growth in the Gorge, due to a host of conditions, including economic and natural factors.

So now once again we must face these groundless claims merely because the I5 bridge was constructed. Over the years there have been numerous bridges spanning the Columbia River, with undue effect.

Senator Evans I suggest that the rhetoric of this issue be put aside as we study the true motives behind the latest push to displace the 41,000 Gorge residents; to turn 320,000 acres into a government owned and government controlled federal park.

Over the past four years a pattern has emerged. It is now apparent that the proponents of federal legislation do not actually oppose development -- just as long as it is 'their kind of development' compatible to their tastes and desires.

Case In Point: the Plainfield Development, a huge resort complex planned for the heart of the Gorge and utilizing our tax dollars, has been endorsed by the Friends of the Gorge. They actually stated that this is what they had envisioned for the Gorge.

Even our Congressman was recently quoted as stating that we should build more motels, etc.

The statement is clear -- resort complexes and such are welcomed with open arms, but heaven forbid if you try to build a house, set up a mobile home, or sell a portion of your land -- the threat of lawsuit looms ever closer.

A close look at the existing legislation will show you that the authors labored under the misconception that government ownership is equated with preservation.

This is a precedent setting test case of immense repercussions for all Americans.

No longer will we be free to live and work and govern ourselves as other Americans.

Would you want to live under a proposal that:

1. planned condemnation of at least 32,000 acres of private land -- how many homes and farms will that destroy? how many businesses?
2. included your county as a unit of the national forest system -- never again able to experience the autonomy of a free and independent people.
3. deprived men and women of employment as all business outside of a tiny "exempted" area is removed because of incompatibility.

Yes, God created a beautiful, majestic land, but He also created a very special people.

America's greatest resource has always been her people -- too many have forgotten that.

Sherry Esch

Sherry Esch
P.O. Box 531
Carson, Wa. 98610

THE SECRETARY OF AGRICULTURE AND THE FOREST SERVICE WILL HAVE FULL AUTHORITY OVER THE COLUMBIA RIVER GORGE NATIONAL SCENIC AREA, S.627 WILL DESTROY THE EXISTING PARTNERSHIP BETWEEN LOCAL, STATE AND FEDERAL GOVERNMENTS AND PLACE IN ITS STEAD AN APPOINTED CENTRALIZED FEDERAL BUREAUCRACY.

1. S.627, Sec. 3, page 7. establishes the Columbia River Gorge as a unit of the national forest system. Total authority is vested in the Forest Service and the Secretary of Agriculture.

2. S.627, Sec. 4, page 10. states that the area SHALL be administered by the Secretary of Agriculture acting through the Forest Service.

3. S.627, Sec.4, page 12 & 13. reveals that the Regional Commission will have no real authority -- it is set up merely to advise and assist the Chief of the Forest Service and the Secretary of Agriculture.

4. S.627, Sec. 6, page 25.; S.627, Sec. 5, page 18. states that first the interim guidelines then the management plan will have complete control over all land use of ALL LAND. Neither the people, nor local governments, nor state government, nor the NSA Commission itself will have any land use authority or input. All land use will be determined by the Chief of the U.S. Forest Service.

5. S.627, Sec. 5, page 20. private individuals and local governments will adopt the Forest Service's land use plan, prepared by the Chief of the Forest Service.

6. S.627, Sec. 5, page 17. states that public meetings will be held to inform the residents and various agencies of the act and of the management plan. THE PEOPLE WILL HAVE ABSOLUTELY NO VOICE.

7. S.627, Sec.3, pages 7 & 8. states that the Secretary shall publish a map and legal description of the area in the Federal Register, Evidently the Secretary will have control over the boundaries, and possible future expansion.

8. S.627, Sec. 2, page 6. states that economic development must be first of all consistent with scenic criterion. There is no balance - no planning for future jobs, everything revolves around scenery. We think that this means NO HOMES, NO EMPLOYMENT, NO COMMUNITIES.

9. S.627, Sec. 5, page 20. Although the legislation has not even been voted on, a compliancy date of 7/1/81 has been inserted into the proposed legislation.

10. S.627, Sec. 5, pages 23 & 24. The Secretary will be judge and jury on any requests for an amendment or variance of the management plan. IF S.627 IS PASSED THE SECRETARY OF AGRICULTURE WILL HAVE COMPLETE AUTHORITY OVER EVERY ASPECT OF LIFE WITHIN THE COLUMBIA RIVER GORGE.

11. S.627, Sec. 7, page 26. The Secretary will have full authority over all government projects, the granting of any license, permit etc. Could this mean road use permits, building permits, logging permits, FHA home loans, small business loans -- our economy will be destroyed.

12. S.627, Sec 8, page 28. The Secretary even has control over hunting and fishing, which he can halt at any time that he deems necessary.

THE LOCAL TAX BASE AND THE LOCAL COMMUNITIES WILL BE DESTROYED, SINCE S.627 SEEKS THE CONDEMNATION AND FEDERAL ACQUISITION OF VAST AMOUNTS OF PRIVATE PROPERTY.

1. The proposed National Scenic Area covers six counties (three in Wa. and three in Or.). Much of that land is already owned by the federal government. Skamania Co. is a good example since 80% of it is either owned or controlled by the government. Approximately 8% of the total acreage supports the tax base of Ska. Co.

2. Once condemnations begin more and more property will be removed from the tax rolls leaving a greater burden on the remaining property owners. S.627, Sec. 16, page 38. states that the Secretary has the choice of whether or not to reimburse local governments for the loss of taxes. He is under no mandate to do so, it is entirely his choice.

3. S.627, Sec 2, page 3. states that much of the diverse scenic quality of the Gorge has been preserved and that the rural communities enhance the landscape. Yet in S.627, Sec 12, Pages 33 and 34 it states that the Secretary can acquire any land he wants to with or without the consent of the owner. Private land acquisition maps held by Sen. Packwood and viewed only by a select few show that entire counties are slated for condemnation.

4. S.627, Sec. 6, page 24 states that immediately upon passage there will be a complete moratorium placed upon the Gorge. It is questionable whether residents could even provide necessary maintenance to their homes.

5. S.627, Sec. 10, pages 32 & 33. the Secretary has the authority to determine if one has violated the act. If one wishes to question the stated violation he can request a hearing, but he will have to appear before the Secretary since the Secretary both determines the violation and hears the appeal. Then of course you can always take it to court - but it has to be a District Court. S.627, Sec. 11, page 33. By that time you are both broke and without a home.

6. S.627, Sec. 12, page 37. Federally acquired property can be sold. Yes, that's right, they can condemn and acquire private property then turn around and sell it to someone else.

7. S.627, sec 13, page 37. recognizes the Indian treaties but fails to recognize the consitutional rights of all American citizens. Much of the land is held by descendents of the original homesteaders, they hold official government documents which the proposed legislation fails to recognize.

8. At no point does the proposed legislation address just compensation.

Senator EVANS. Thank you, very much.

Next, Vern Good.

STATEMENT OF VERNON A. GOOD

Mr. GOOD. Senator Evans, I want to thank you for your continuing patience, and I marvel at your stamina.

For the past 30 years I've been making my living as a consulting forester, providing a service to private landowners who own timberland. The gorge has been part of the territory I've happily covered during that period.

In 1954 I purchased forest land to the north of the community of Skamania. This property was covered with snag remnants from earlier fires, including the Yacolt Burn. It also supported scattered residual timber and a good belt of naturally seeded, 10-year-old regrowth. Contract logging provisions of 1954 and again in 1962, when salvage logging operation were underway, voluntarily prohibited cutting in a buffer zone either side of a quarter-mile-long stretch of Duncan Creek. Gradually I was able to reduce fire hazard by getting most of the snags down during salvage loggings of 1954, 1962 and 1973.

A continuing effort was begun in 1955, releasing sapling trees from waves of brush invasion, and precommercially thinning the young stands to optimize spacing for vigorous growth toward a new crop of commercial timber. The largest belt of nonproductive brush was scarified and planted in 1972. Salvage of fuel wood was begun in 1983 to convert a hardwood belt to Douglas fir and cedar.

To my knowledge, this is the most intensively managed young forest tract in the gorge, and it provides both an oncoming crop and esthetics, while remaining in individual private ownership. No form of coercion has been required. However, cost-share payments from the Agriculture Department were a help.

There are two purposes in relating this. First, I believe that it demonstrates that in the west end of the gorge forests are economically replaceable in perpetuity by the private sector, using known and demonstrated forest management techniques. Second, it explains my concern about efforts to pass legislation that would federalize control of land use in the gorge. The possibility that my ownership be arbitrarily classified as scenically critical as a part of a scenic vista or haven for wildlife poses an unnecessary threat to a valuable forest asset I have spent a working lifetime in growing for my retirement income and activity. The possibility of a bungling property takeover by condemnation frightens me.

Those of us who love the gorge are affected by the immensity of the mighty river in a vast setting of raw geology of spectacular size and scope and, of course, the sometimes serene beauty of a blanket of vegetation, primarily forest, that spreads across the landscape.

This vast gorge and its immense backdrop would be hard to destroy, even if that were a goal. Disturbed plantlife in the west end of the gorge is quickly replaced by nature.

What we really need to control is the intrusion of smokestack industry. I'm convinced that local zoning can control that. I'm also convinced that important freedoms of responsible landowners would be trampled on if Federal land use controls are legislated in the name of scenic protection as urged by overzealous protectionists.

I endorse the suggestion made by Dick Adlard earlier, on one of your earlier panels, that the use of the existing program of the Agricultural Conservation and Stabilization Service might be modified to include incentive practices for scenic management of forest lands in the gorge. I think this could provide a much less expensive solution to keeping the private ownerships in the gorge productive and esthetically attractive, without subjecting private owners to the threat of condemnation.

[The prepared statement of Mr. Good follows:]

Testimony of Vernon A. Good, Consulting Forester, Portland, Oregon
Presented November 8, 1984
At The
Columbia Gorge Field Hearing, Stevenson, Washington
Before Senator Dan Evans & Sub-Committee

For the past 32 years I have made my living as a Consulting Forester, providing a service primarily to private landowners who own timberland. The Gorge has been a part of the territory I have happily covered during that period.

In 1954, I purchased forest land to the north of the community of Skamania. This property was covered with snag remnants from earlier fires, including the Yacolt burn. It also supported scattered residual timber, previously deemed inoperable, and a good belt of naturally seeded 10 year old, re-growth douglas fir.

Salvage logging of scattered residual green timber was begun immediately. Gradually I was able to reduce fire hazard by getting most of the snags down, during successive salvage loggings of 1954, 1962, and 1973. Contract requirements voluntarily prohibited cutting in a buffer zone either side of a ½ mile stretch of Duncan Creek.

A continuing effort was begun in 1955 to favor the development of the juvenile stands by releasing sapling douglas fir from "waves" of brush invasion, and pre-commercially thinning the young stands to optimize spacing for vigorous growth toward a new crop of commercial timber. These investments have continued over the years. The largest belt of non-productive brush was scarified and planted in 1972. Salvage of fuelwood was begun in 1983, to convert a hardwood belt to Douglas Fir & Cedar.

To my knowledge this is the most intensively managed young forest tract in the Gorge, and it provides both an oncoming crop, and aesthetics while remaining in individual private ownership. No form of coercion has been required. However, cost share payments from the U. S. Department of Agriculture were a significant help.

There are two purposes in relating this:

First: I believe it demonstrates that in the West end of the Gorge, forests are economically replaceable in perpetuity by the private sector, using known and demonstrated forest management techniques.

Second: It explains my concern about efforts to pass legislation that would Federalize control of land use, in the Gorge. The possibility that my ownership might be arbitrarily classified as "scenically critical" as a part of a scenic vista, or a haven for wildlife, poses an unnecessary threat to a valuable forest asset I have spent a working lifetime in growing for my retirement income and activity. The possibility of a bungling property takeover by condemnation frightens me.

Those of us who love the Gorge are affected by the immensity of this mighty river in a vast setting of raw geology of spectacular size and scope, and of course the sometimes serene beauty of a blanket of vegetation -- primarily forest -- that spreads across the landscape.

This vast Gorge and its immense backdrop would be hard to destroy even if that were a goal. Disturbed plant life in the West end of the Gorge is quickly replaced by nature.

What we really need to control is the intrusion of smoke-stack industry. I'm convinced that local zoning can control that. I'm also convinced that important freedoms of responsible land owners would be violated if Federal Land Use Controls are legislated in the name of scenic protection as urged by over-zealous protectionists. I urge careful study of the clear and thoughtful comments on constitutionality by Joel Skousen who spoke on the panel for Columbia Gorge United.

I endorse the suggestion made by Dick Adlard in earlier testimony. He proposed the concept of a cost share incentive for forest scenic management in the Gorge to be administered through the U. S. Agricultural & Stabilization Service as a means of achieving protection of scenic vistas. This could be done at less cost than by confiscation and Federal Management of what is now private property, and more importantly without coercive action or the taking of private rights.

Mr. Adlard has documented his suggestion with visual management cost studies made in North Idaho. Labor rates in that area are significantly below costs on the Coast, but even with an upward cost adjustment of one-third, this approach is still much to be preferred, and I believe could be made workable.

Vernon A. Good
Vernon A. Good

1925 N. E. Liberty St.
Portland, Oregon 97211

Senator EVANS. Thank you, very much.

Madge Keys.

Ms. KEYS. Senator Evans, I've been asked to read Jennifer Dunn's statement here that she has made arrangements for. But, before I begin, I'd like to say how pleasantly surprised I've been at your conduct today. I've lived in the gorge for 33 years. I've been quite active in local—not politics, but government activities. I've been to many commissioner meetings, State meetings, and things of this nature. As I say, I was pleasantly surprised to see your patience, and your intelligent questions of the witnesses, and I very much appreciate this. I'm a State Republican committeewoman, and Jennifer is writing this because of two resolutions that I took to State committee, both in 1983 and 1984. The latter one was not only adopted by our State committee in June, it was accepted as part of our Washington State platform.

STATEMENT OF JENNIFER DUNN, CHAIRMAN, WASHINGTON STATE REPUBLICAN PARTY, AS PRESENTED BY MADGE KEYS

Ms. KEYS. I thank you, Senator, for allowing this testimony to be delivered for me before the hearing record today.

The Columbia Gorge issue involves the clash of many different principles, ideas, values, and perspectives that make this controversy difficult but not intractable.

As chairman of the Washington State Republican Party, I am compelled to speak in support of two fundamental principles underlying our party's platform that are integral to an equitable solution to the gorge controversy. One principle relates to individual rights, the other to effective and respresentative government.

I realize that you often hear testimony that revolves around the pronouncement of principles and, as a result, you occasionally find the enunciation of principles redundant. But, the authority you carry here today as a lawmaker is derived from principles enshrined in the same Bill of Rights that many people here today believe you are perilously close to infringing upon. Proposing Federal legislation to deal with a local matter is not merely unwarranted, but also inadvisable because it would serve to exacerbate this problem, not solve it.

A Federal law is a course instrument that should not be used to solve a matter where local and State officials, who are closer to the problem and are directly accountable to the people affected by it, show the willingness and perseverance to do so themselves.

With regard to the rights of individuals, our party fully supports, as the attached resolution supported by citizens in such diverse areas as Port Angeles, Colville, and Bremerton shows, the property rights of the 41,000 people living in the Columbia Gorge area. These rights have, unfortunately, been regarded by some people as just another competing interest to be measured against other interests. I find this very unfortunate. The right to own and develop property within reasonable limits is noting less than the exercise of human freedom. Hopefully, whatever level of government ultimately deciding this matter will acknowledge the importance of people's property rights, and hopefully those assembled here today recognize that the imposition of Federal control over this region is incompatible with the people's property rights, which are supposed to be ensured, not unsurped, by the Federal Government.

Thank you.

Senator EVANS. Thank you, very much.

OK, I'm not sure I have any further questions.

Those are all pretty clear statements. Thank you, very much, for participating.

Next, Miki Deutchman, Bruce Henderson, Bonnie White.

OK next, Bill Bakke, Stuart Chapin. Come on ahead.

Charles Clock, Ken Clock, Pat Clock, Shirley Clock, are the Clocks here? A Clock? OK.

Go ahead, sir.

STATEMENT OF F. STUART CHAPIN, JR., WHITE SALMON, WA

Mr. CHAPIN. My name is Stuart Chapin. I speak as a resident of White Salmon and as a professional land use planner with some 45 years experience.

As a resident of the gorge, I'm concerned about the changes occurring in the gorge. While the wrangling goes on over what kind of gorge management is appropriate, the face of the gorge is steadily changing. Some of the change is a direct response to growth pressures. Much of it is of a speculative nature. Whatever the reasons, legislative action is urgently needed to establish an orderly land management process before runaway actions inimical to the qualities we all prize about the gorge are lost forever. In short, it's time to drop the inflexibility on both sides and get on with the solution.

As a land use planning professional, I believe this solution must recognize five very fundamental and essential requirements. First, most of us here agree that the gorge is a resource of great natural, historical, scenic, and economic significance. To ensure that development and use of lands take account of all of these values, now and in the future, a continuing land management process is a requisite of highest importance.

Second, one gorge requires one management approach, not unrelated-county or two-different-State management plans.

Third, all three governmental jurisdictions have a legitimate stake in gorge management. The local government agencies which provide utilities, roads, police, and fire services must see that health, safety, convenience, and public costs involved in land development are considered. The States have additional concerns: such interests as shoreline protection, preservation of prime forest and agricultural areas, and maintaining fisheries and wildlife. The Federal Government not only has interest in maintaining power, navigation, forests, and fisheries in the gorge, but also in assuring that the gorge's magnificent scenic resources are there for all Americans to enjoy. There is, therefore, reason for all three to be represented in overseeing the land management process. This is why a regional commission representing all three levels of government offers the most equitable format for gorge management.

Fourth, an effective land management process identifies and monitors critical and sensitive areas. But, to protect these areas an overall gorge land use framework is required. Local comprehensive plans, zoning, and subdivision ordinances should be in conformance with this kind of framework.

Finally, since a gorge management process affects the vital interests of residents, businesses, public interest groups, and local, State and Federal agency programs in the gorge, there should be opportunities for all of these to have an input into the process.

These are what I believe to be musts in the gorge protection. In the rest of my written statement I go into provisions that might be incorporated into a bill for the 99th Congress, including an elucidation of what I consider to be important in the way of a land management process.

Thank you for this opportunity.

[The prepared statement of Mr. Chapin follows:]

Statement of F. Stuart Chapin, Jr.

for Columbia River Gorge Hearing on November 8, 1984
Held in Stevenson, Washington

by Public Lands and Reserved Water Subcommittee
of the Senate Committee on Energy and Natural Resources

I represent no organization but speak as a resident of the Gorge and as a professional land use planner with some 45 years experience.

As a resident, I am concerned about the changes occurring in the Gorge. While the wrangling goes on over what kind of Gorge management is appropriate, the face of the Gorge is steadily undergoing change. Some development is undoubtedly being rushed ahead to avoid scrutiny under whatever Gorge management program emerges. Some of it is in response to indigenous economic activity — sand and gravel extraction, forest harvests, port and industrial development — all of economic significance but some of it insensitive to any consideration of the Gorge's spectacular scenic qualities, its historical landmarks or its natural processes. Some of the change is a direct response to growth pressures from Portland and Vancouver at the west end, but much of it is of a speculative nature. Whatever the reasons of change, legislative action is urgently needed to establish an orderly land management process before runaway actions inimical to the qualities of the Gorge we all prize are forever lost. In short, it is time to drop the inflexibility on both sides and get on with a solution.

As a land use planning professional, I believe this solution must recognize five very fundamental and essential requirements:

1. The Gorge is a resource of great natural, historical, scenic and economic significance. To insure that development and use of lands in the Gorge take account of all of these values for both the immediate and long-term future, a continuing land management process is a requisite of highest importance.

2. It is one Gorge, not just separate pieces of real estate in six bordering counties and two states. One Gorge requires one management approach, not six unrelated county or two different state management plans.

3. All three governmental jurisdictions have a legitimate stake in Gorge management. Local governments, which provide utilities, community facilities and protective services, and maintain roads, have a direct and traditional concern in seeing that basic considerations of health, safety, convenience and public costs involved in land development are considered. The states have additional concerns — shoreline protection, management of state forests, preservation of prime agricultural areas, maintaining fisheries and wildlife, conservation of water resources, and many other concerns. The Federal government has interests here too — not only in power, navigation, forests and fisheries, but also in assuring that the Gorge's magnificent natural setting and its scenic qualities are there for all Americans to enjoy now and in the future. There is therefore reason for all three to be represented in the oversight of the land management process. This is why a regional commission representing all three levels of government offers the most equitable format for Gorge

management.

4. An effective regional land management process identifies and monitors critical and sensitive areas but also establishes an overall Gorge land use framework and accompanying guidelines to insure that land development takes account of natural, historical and scenic resources. Local governments should continue to exercise their established responsibilities in the Gorge in comprehensive planning and in the regulation of land development, but in harmony with the regional land use framework.

5. A land management process affects the vital interests of residents, businesses and public interest groups as well as local, state and Federal agency programs in the Gorge. Representatives of these groups should have opportunities for input into the process before a land use framework is adopted or amended.

These are what I believe to be "musts" in Gorge protection.

A solution involving a joint partnership of all three levels of government for dealing with the needs of the Gorge requires legislation by Congress. For fulfilling the requirements outlined above the following features would be important to include in this legislation:

1. Findings and purposes — see both bills from the 98th Congress
2. Establishment of a Columbia River Gorge Scenic Area and the definition of its boundaries.
3. Designation of a Federal lead agency and authorization for the establishment of a regional Columbia River Gorge Commission, authorization for its appointment, and authorization for instituting the land management process it is to undertake in overseeing land use in the Gorge pursuant to the findings and purposes set forth in the bill.
4. Designation of interim critical and sensitive areas and establishment of resource protection procedures to be followed until the Gorge management process is in place.
5. Establishment of the Gorge management process superceding the interim program. (From a professional standpoint I find previous descriptions of the scope of the management process inadequate, and so I am attaching some wording for the content of the process.)
6. Provision for public input in the management process.
7. Establishment of limitations and conditions under which eminent domain can be exercised.
8. Provision for enforcement, appeals, authorization of appropriations, compliance with the budget act, etc.

Finally, when legislation for the 99th Congress is drafted and introduced I urge that there be no exemptions for municipalities or port authorities and no exemption of forest activities from provisions of the bill. Some of the most visually vulnerable areas are within incorporated or port areas; also, how forests in the Gorge are managed has a great deal to do with the visual quality of this great resource.

I appreciate the opportunity to be heard on this matter.

Appendix - Scope of the Management Process

MANAGEMENT PROCESS FOR GORGE

Sec. _ ( ) CONTENT.—The management process shall include:

(1) a planning component consisting of

(A) development and maintenance of an information system based on inventories of critical and sensitive areas (including those of scenic, natural and cultural significance), existing human uses of land, surface and subsurface water resources, terrain slopes, soils and geology, plant and wildlife habitats, and other appropriate data;

(B) analyses of existing conditions and problems from human uses of land as they impinge on critical and sensitive areas;

(C) establishment of goals (directions for the long pull) and objectives (specific intermediate milestones toward these goals) for protecting, maintaining and enhancing scenic, natural and cultural values in the Gorge in balance with economic development appropriate to the Gorge;

(D) investigation of growth scenarios for the Gorge, evaluation of their potential impacts on significant scenic, natural and cultural areas, and the selection of one working scenario that best fulfills these goals and objectives;

(E) on the basis of studies undertaken under subsections (A) to (D) above, identification of critical and sensitive areas and preparation of a land use framework for the Gorge as follows:

(i) critical and sensitive areas: lands which have unique or distinct scenic features, lands which contain rare or endangered plants or wildlife as established by Federal or state authorities, lands which are or may qualify for designation as landmarks, historic places or archaelogical sites of national or state significance, and lands which are needed to provide critical recreation and interpretative facilities or to provide access to public lands identified for visitors to the Gorge, including lands for parks, recreation, open space, trails or natural areas identified in officially adopted local, state or Federal plans, or proposed for such under the Gorge Commission's land use framework;

(ii) land use framework: lands to be protected as critical and sensitive areas, lands to be conserved in forest, agriculture or open space, lands to be available for major regional transportation, power, gas, water and sewerage requirements, and lands to be available for all other uses, including industry, port development, business, residences, recreation and other urban uses;

(F) formulation of policies for implementation of the land use framework;

(G) development of standards and guidelines for the effectuation of the land use framework and implementation policies;

(H) update of the listing of critical and sensitive areas, the land use framework, policies, standards and guidelines at intervals of no greater than 10 years;

(2) an implementation component consisting of

(A) review and approval of local governmental comprehensive plans, zoning ordinances and subdivision regulations as they affect the Gorge, including ammendments thereto, and rendering advisory reviews on development proposal referrals from local units of government;

(B) review and approval of Federal and state agency plans and project proposals as they affect the Gorge;

(C) challenges of departures from land use framework and related guidelines;

(3) a development, operations and maintenance component for lands and facilities acquired for Gorge Commission headquarters, for interpretative centers and other facilities for visitors, and for critical and sensitive areas that may be acquired in fee simple or protected by scenic easements;

(4) an administrative component for maintaining communications with Federal, state and local agencies with program activities in the Gorge, with forest products and agricultural groups, with chambers of commerce, and with citizen and special interest groups with concerns about the Gorge and for the conduct of the Gorge Commission's affairs such as holding meetings, issuing reports, preparing annual budgets and negotiating contracts.

Senator EVANS. Thank you, very much, Mr. Chapin. You are very specific in those features. That will be very helpful to us. Thank you.

Pat Clock.

Ms. CLOCK. I'd like to read Pat's testimony. He had to work today and didn't realize we'd be here all night.

Senator EVANS. All right, fine.

STATEMENT OF PATRICK CLOCK, PRESIDENT, TRI-COUNTY CITIZENS FOR FAIR LAND PLANNING, INC., AS PRESENTED BY SHIRLEY CLOCK

Ms. CLOCK. Dear Senator Evans, the proposals to create a national scenic area out of private property in the Columbia River Gorge must be measured by the loss in the individual's authority over the use of his land, the increased collective approach at the national and State levels in determining the use of private property, and the citizens' loss of direct representative government in land use matters. These are the most significant issues at stake.

At the end of all sprawl, visual-pollution, ecologically sensitive, endangered, lost forever, condomania, and Lake-Tahoe-here-and-now arguments used by the proponents of these bills lies an unstated conclusion: the citizens living in the gorge are not or are incapable of doing the job as defined by those intolerant of the gorge residents' wishes, choices, and authority. The view is that things are so bad that direct, representative government on land-use matters is no longer feasible. Appointed agents must assume the citizens' role. The collective good as identified by these agents now becomes the land use plan for the residents of the gorge.

We disagree with this conclusion. We support no legislation removing land use authority from the residents of the individual Washington and Oregon counties in the Columbia River Gorge. Appointed agents at the State or national level are no substitute for elected representation at the local level in making land-use decisions.

The majority of people and nations of the world have never experienced democracy or representative government. It has had a few sporadic attempts at existence over the past 3,000 years. Today this fragile creature's existence is in as much doubt as it has been in the past. There is no more certain way to kill it than to establish a priority great enough that we must suppress representative government for the collective good as identified by the special interests.

Let the citizens who own the property in the gorge determine its use. No more national tragedies like the Cuyahoga Valley, OH, are needed. It is the land under private ownership, where the individual has the greatest freedom to determine its use, that has produced the wealth of this country. The citizen has done an excellent job, a better job than any government that has taken that authority to itself.

Sincerely, Patrick Clock, Tri-County Citizens for Fair Land Planning.

This is the Tri-County branch of the statewide Oregon Citizens for Fair Land Planning.

Senator EVANS. Thank you, very much.

STATEMENT OF SHIRLEY CLOCK

Ms. Clock. I'd like also to give my testimony which deals with some of the realities of total land use control as we have it in Oregon. I will be discussing actions by a specific organization and some of its members, and I would like you to understand that I am not attacking individuals but, rather, attitudes and actions.

Senator Evans. Does this deal directly with the gorge?

Ms. Clock. The friends of the gorge—first of all, I want to address games we play with words, land, and people.

The friends of the gorge want to save the Columbia River Gorge by placing it under the protection of the Federal Government. That seems reasonable. It even sounds appealing. Should we accept this proposal as stated? My question would be protect the gorge from whom and save it for whom?

The implication is that we should remove the gorge from local jurisdiction or special interest's influence and place it under Federal jurisdiction, supposedly immune to such influence. Are higher jurisdictions more immune to special interests? I say no, they are not. If small or large fish influence local government, then surely larger fish influence State and Federal Government.

At the local level, you as a voter and taxpayer have the power to control influence peddling if you exercise that power. The more voters and taxpayers that are under a jurisdiction, the less control by vote any individual has. Then the ability of special interests to influence increases.

Oregon's land use laws place actual control of the use and, therefore, the value of every acre at the State level, in the hands of hired planners and an appointed commission. These laws were written by our friends, the 1,000 Friends of Oregon attorneys, for the stated purpose of saving the farmland. The method used was identifiying urban areas, drawing urban growth boundaries around them, allowing development within these boundaries, and defining all other land as farm or forestland whether or not it will ever grow a profitable crop.

Since a large portion of the prime farmland of the State lies within the urban growth boundaries, that land was immediately sentenced to development by business, industry and multiunit dwellings. The communities are losing their open spaces and choking in the increased compaction. The landowners outside the urban growth boundaries cannot build their own house on their own land, no matter how many acres they own, without satisfyinig arbitrarily applied restrictions which tend to save the nonfarmable land.

All of this looks lovely on a planner's map. It is disaster as far as saving the farmland. Conclusion: saving the farmland was the pitch, not the goal. The result has been control of the land and control of where people may live, all by a very powerful special interest group, 1,000 Friends of Oregon.

What was the true goal? Was it population movement, the goal discussed in the special study done at Oregon State Unniversity and funded by the Rockefeller Foundation? The organization formed as a result of that study is now registered with the State of Oregon as 1,000 Friends of Oregon.

Examples of excesses of power: In one county hearing alone, I watched hundreds of people lose their entire life's savings due to a land use designation on their property. Those who couldn't afford an attorney never got into the game. Their ages? Most were 66 to 96. They stood one by one, unbelieving, before a crowded room, with tears running down their faces. And I kid you not.

The 1,000 Friends of Oregon attorney left triumphant——

Senator **Evans**. Could you—you've had double time, so——

Ms. **Clock**. All right, I'll pull it together.

The costs of land use planning are high. Those who can least afford it are paying the highest price, and they are the very ones who kept their land intact.

I'll skip some of the other.

Senator **Evans**. You certainly can submit it as written testimony, which will be helpful to us.

Ms. **Clock**. All right.

What is the true goal for the gorge, saving it from development or saving it for development by and for the chosen few? If State control in the Oregon case so removed the individual from the power base, what will Federal control do to the gorge residents?

Thank you.

Senator **Evans**. Thank you, very much. Thank you, both.

Next, Larry Armour, Peggy Bird, Jim Fowler, Steve Lindstrom, Bill Nopper, Dave McKenzy.

Larry Armour? Go ahead, please.

STATEMENT OF LARRY E. ARMOUR, COMMISSIONER, PORT OF SKAMANIA COUNTY, WA

Mr. **Armour**. Senator Dan Evans, thank you for coming today. My name is Larry Armour. I am a commissioner with the Port of Skamania County and, as such, I am speaking as a local government official on behalf of the port.

The objectives of the port are basically to attract new business and industrial development within its boundaries. The policy of this port is to work with other country officials in establishing guidelines that are economically safe for these developments to follow.

We have always been and will continue to be concerned with the preservation of the gorge. We have proved throughout the past that we are perfectly capable of preserving the beauty of the gorge. In fact, in times past we have also restored its beauty as Mr. Ash described a moment ago. It's because of the continuing preservation and restoration practice by those of us who live here that the Columbia Gorge is so much desired and coveted by outsiders who had nothing to do with the way it is now. At present, we have an ongoing plan for the preservation and management of the gorge. I have included an outline of this plan in my written testimony.

If the Federal Government continues to buy up lands and turn them into national parks, it won't be long until it will be necessary to establish a gigantic park to preserve the real endangered species, human beings.

Thank you, Senator Evans.

[The prepared statement of Mr. Armour follows:]

COLUMBIA RIVER GORGE HEARING
November 8, 1984

Dear Senator Dan Evans,

I am a Commissioner with the Port of Skamania County, and as such am speaking as a local Government Official. I also have a personal stake in this issue, as I own two businesses in Skamania County. I am an Accountant, and have a office in Carson under the name of Armour Accounting and Tax Service. I also own a video rental business in Stevenson, called The Video Place. I make my home in North Bonneville. I personally will be drastically affected if the Gorge Legislation passes. I implore you to consider my views, knowing that I speak from a personal level as well as a representative of Skamania County.

In the last few days I have done some research into the United States Constitution, the Declaration of Independence, and The Bill of Rights. I wanted to refresh my memory of the rights guaranteed us as citizens of the United States. I found that the Gorge Legislation is entirely against the Constitution. The premise of the Bill of Rights, which is the first ten amendments to the Constitution, is that a man's home is his castle, and one of the things it is protected from is unlawful search and seizure. As far as I am concerned, the Columbia Gorge is our home; therefore it is our castle, and a group of outsiders is trying to conjure up a legal way to unlawfully seize it.

The Constitution provides us with certain unalienable rights, and also states that any time a Government body tries to take away those rights, whether or not they find a so-called "legal" way to do it, then it is time to get rid of that Government body. From the time our Country was founded we were promised government by the people, and for that to be practiced the way it was intended to be, in this case government by the people means the people concerned with and affected by whatever decisions are being made. Any legislation concerning or affecting the Columbia River Gorge should be decided by those residing in the Gorge; not by outsiders who live on the fringe of the Gorge, and who have instigated this legislation in the hope of lining their own pockets.

We have proved throughout the past that we are perfectly capable of preserving the beauty of the Gorge. In fact, in times past, we have also restored its beauty; as in the case of the two fires a generation ago. This restoration was paid for by the local residents and no tax dollars were used. It is because of the continuing preservation and restoration practiced by those of us who live here that the Columbia Gorge is so much desired and coveted by outsiders who had nothing to do with the way it is now. If the Gorge had been let go to pot in times past, we wouldn't be bothered now, because no one would want it!

At present we have an on-going plan for the preservation and management of the Gorge. Won't you please study this plan and understand that we care about were we work and live and we are not about to destroy its beauty. The following is an outline of this plan:

1. Form a 6 county board to govern the Gorge, including Skamania, Clark, Klickitat, Multnomah, Hood River, and Wasco Counties.

2. This Board of Counties to make all decisions concerning developement for recreational, industrial, and private use.

3. From the Oregon side, list critical view areas.

4. Have money available to the Counties so that they can buy the developemental rights from land owners in the view areas.

5. Leave governing of the Gorge lands to local Government Agencies.

We have seen newspaper articles where the executive director of the Friends of the Gorge has threatened to harass by litigation anyone who tries to build anything along the Columbia River. Is this how our legal process is supposed to work? Can people who covet other people's property use the law to harass them until they are forced to sell? Can they go even further and have the land condemned?

If the Federal Government continues to buy up lands to turn into National Parks, it won't be long until it will be necessary to establish a park for the real endangered species - HUMAN BEINGS!!

May we please have your support in this matter? This is our last chance to be heard. PLEASE do not ignore us!

Sincerely,

Larry E. Armour

Larry E. Armour, Commissioner
Port of Skamania County
Stevenson, Washington 98648

Senator EVANS. Thank you. Thank you, very much.

Next, Peggy Bird.

STATEMENT OF PEGGY BIRD, EXECUTIVE DIRECTOR, PACIFIC NORTHWEST WATERWAYS ASSOCIATION

Ms. BIRD. Thank you, Senator Evans. I'm Peggy Bird. I'm the executive director of the Pacific Northwest Waterways Association.

PNWA is a regional association with a broad-based membership in five States, including Oregon and Washington. Because you've already heard from several of my members today, I will be mercifully brief.

PNWA supports in any consideration of any gorge issue legislation: one, land use policies that keep options open for the future, rather than closing out all uses save one or two; two, management policies that recognize the diversity in the area, and make provisions for historic multiple uses, balancing the interdependent interests on the river; three, recognization of the existing need for navigation improvements in the gorge, specifically the new lock at Bonneville Dam; four, provision for commercial and industrial activity as critical economic development areas for gorge residents; five, a cooperative approach to identifying key issues and resolving management policies; six, strong, local planning that is coordinated between the gorge counties and involves the full range of interest in the public process of planning.

My association in the States of Oregon and Washington from which it drew its original members have proud histories of working among ourselves to reach consensus, solving our own problems and crafting a regional approach for our region's issues. We strongly believe that we can do that for this issue, too.

Thank you.

[The prepared statement of Ms. Bird follows:]

TESTIMONY ON BEHALF OF
THE PACIFIC NORTHWEST WATERWAYS ASSOCIATION

BY

PEGGY BIRD, EXECUTIVE DIRECTOR

TO

THE HONORABLE DAN EVANS

REGARDING COLUMBIA RIVER GORGE LEGISLATION

NOVEMBER 8, 1984

Pacific Northwest Waterways Association
P. O. Box 61473
Vancouver, Washington 98666
Phone: (206) 699-4666

Senator Evans, my name is Peggy Bird. I am Executive Director of the Pacific Northwest Waterways Association. I very much appreciate the opportunity to present the Association's testimony to you today.

As you may know, PNWA is a regional association with a broad-based membership in five states, including Oregon and Washington. For 51 years, PNWA has supported planning for, and the appropriate development of, water resources in the Pacific Northwest and Alaska. We have supported and encouraged a multiple-use concept based on our members' concern for a balance between the interdependent uses of the waterways.

The Columbia-Snake River system represents a prime example of this concept. Transportation and navigation, commerce and trade, power generation, fisheries, irrigation, agriculture, tourism, flood control, recreation and conservation all co-exist within the system. They are not mutually exclusive. Indeed, they are mutually beneficial.

The Gorge is a unique and valuable part of that system. In the Columbia River Gorge we can see a microcosm of the activities that have historically taken place along the river. For centuries, people have lived in, come to and gone through the area. For the nation, it is an area of scenic beauty and a part of a vital transportation waterway linking western hinterlands to Pacific Rim markets. For the Northwest region, the Gorge provides not only trade and tourism opportunities but hydropower. For 40,000 residents in the Gorge, the area is where they live, work and raise their families.

Which brings me to why we are here today.

The issue before us is not whether we should protect the Gorge. We all agree that the Columbia River Gorge is a special place, one that deserves our care and attention. How we give that attention and who is responsible--those are the real issues.

People who live in the Gorge, those who travel to the Gorge and those who go through the area don't always share the same perspective on those questions. Each group has historic, economic, or other reasons for its views. Consideration for any one use over the others creates an imbalance in our multiple-use system.

Therefore, in any consideration of the Columbia Gorge issue, the membership of PNWA supports:

1. Land use policies that keep options open for the future rather than closing out all uses save one or two.
2. Management policies that recognize the diversity in the area and make provisions for historic multiple uses, balancing the interdependent interests on the river.
3. Recognition of the existing need for navigation improvements in the Gorge; specifically, the new lock at Bonneville Dam.
4. Provision for commercial and industrial activity as critical economic development areas for Gorge residents.
5. A co-operative approach to identifying the key issues and resolving management policies.

6. Strong local planning that is coordinated between the Gorge counties and involves the full range of interests in a public process of planning.

My Association and the states of Oregon and Washington from which it drew its original members, have proud histories of working among ourselves to reach consensus, solving our own problems and crafting a regional approach for our region's issues. We strongly believe that we can do that for this issue, too.

Again, Senator Evans, thank you for the opportunity to present PNWA's position on this important issue. We will, of course, provide whatever additional assistance and information we can to you as you continue your fact-finding. Thank you.

Senator EVANS. Thank you, very much.
Next, Steve Lindstrom.

STATEMENT OF STEPHEN R. LINDSTROM, PROTECT THE GORGE ASSOCIATION

Mr. LINDSTROM. Thank you, Senator, and good evening. I'm sure you'll be able to glance through my written remarks, thanking you for the opportunity to speak so I will forego them in an effort to shorten my presentation.

I'm here as a member of the Protect the Gorge Association, an organization of concerned citizens who believe that the splendid natural attributes of the Columbia River Gorge can and must be protected and preserved for posterity, but with a coordinated management effort that stops short of full Federal domination and control, and at the same time provides for the human resources in an understanding manner.

Because we haven't had time to meet as a board of directors, I can't speak for them per se, but a number of the basics in my presentation are part of the platform of the organization.

The call, if you would, to testify at this hearing spoke of an interest on your part in alternatives. I'd like to speak to two levels of alternatives, if I might.

First, to provide you in the form of the appendix to my remarks with an alternative to the presently-constructed gorge bills, makes the rash assumption that some sort of federal legislation is indeed needed to solve the problems that have been discussed today; and, if that is indeed the case, there are 23 pages of alternatives to the so-called Packwood and Governors' bills.

A quick summary of those suggestions might be in order. First, that the Columbia River Gorge is established as a national treasure, about which there is no doubt. Then it establishes a gorge commission composed of eight gubernatorial appointees and three Federal representatives to oversee—"oversee" I emphasize—the preparation and implementation of management plans for all affected governmental entities; sets broad guidelines; requires each affected locality or governmental entity to develop and implement a plan that is consistent with the general guidelines or goals laid out by the legislation; provides that the commission can decide which plan takes precedence in the case of conflicts. Most peculiarly, it provides a mechanism for funding of the preparation of local plans, as well as assisting with funding and management expertise, tourism, recreation, fishery enhancement, tributary rebuilding, and such things you've heard discussed today as a development bank, et cetera. It requires a consistency by Federal and State agencies, provides mechanisms for appeal, establishes a conservancy trust for the acquisition and management of critically sensitive and public use lands and shorelines, and then provides for a lot of the actual administration of such a commission.

The second level of alternatives I thought I would speak to, again very briefly, would be that assuming not only that Federal legislation was desirable in this case, but further assuming that such a legislative base as the one before you were adopted, within that there are at least 10 distinct alternatives available for negotiation, for compromise, et cetera. Very quickly I'll enumerate them.

Obviously, No. 1, the size of the area to be encompassed; the definition and scope of critical and sensitive lands, No. 2; No. 3, the quality and scope of interim guidelines; No. 4, the criteria that the commission adopts subsequent to enactment of the act; No. 5, the criteria in which acceptance would be based; No. 6, the criteria surrounding the implementation of the conservancy trust activities; No. 7, the commission membership. I happen to include the BPA Administrator because he's got the bucks. There are others who say it should be a Park Service person, et cetera. No. 8, how you're going to name it. If you name it a scenic area, it'll obviously have more tourist value than if it's just called a Columbia Gorge commission. No. 9, the budget, obviously; and, No. 10, the level and phases of public participation.

So, with that I thank you for the opportunity to testify. I'll be happy to develop this further with yourself and your staff should you deem it useful.

Thank you, very much.

[The prepared statement of Mr. Lindstrom follows:]

TESTIMONY OF STEPHEN R. LINDSTROM

TO SENATOR DAN EVANS, NOVEMBER 8, 1984

REGARDING COLUMBIA RIVER GORGE PROTECTION

Good Day, Senator Evans. Thank you for the opportunity to appear before you at this hearing and express my views regarding the proposed protection of the Columbia River Gorge through the enactment of federal legislation.

I am Steve Lindstrom, a member of the Protect the Gorge Association, an organization of concerned citizens who believe the splendid natural attributes of the Columbia River Gorge can and must be protected and preserved for posterity with a coordinated management effort that stops short of full federal domination and control, while at the same time provides for the human resources in a democratic and understanding manner.

The proposal I am setting forward today will not draw a second glance from the extreme ten or fifteen percent of the people who are at opposite poles on this issue. However, there seem to be a large number of caring people who feel there is a great deal of room in the middle where compromise is not only possible, but necessary. Their interest and support is the objective of my testimony today.

As an aside, I am among many who do not feel that the so-called Governor's Bill is a compromise at all because of the continued component of absolute federal control in the final analysis, despite the several minor differences between S. 627 and A.N. 2125.

The legislation I will describe takes no absolute steps, except in terms of the protection and enhancement of the Gorge which results. If enactment of this legislation is found to be wanting in the future, additional remedial measures can be implemented. However, it is often nearly impossible to back off the turns of the screw once they have been taken in an absolute manner. We have learned that lesson many times, including the recent legislation called PURPA which, during a time of surplus, requires that utilities buy from alternate sources electricity that they not only don't need, but which is priced at many times the cost of conventional hydroelectricity.

Further, this proposed legislation is oriented toward results, and does not dwell on an encumbering process, which breeds delay, inefficiency and overkill and guarantees the birth and indefinite growth of a new layer of government.

Finally, this proposal provides a finely-tuned series of checks and balances between local and external interests, between public and private needs and between self-determination and governmental control. Every effort has been made to establish a mechanism that will deal with issues and results rather than with competition and compounding within the decision-making process.

Here is a summary of my proposal: (See attached summary.)

Substantial details are provided in the 23 page draft attached to the testimony I turned in to you, and I will be happy to explain to any desireable length or answer any questions.

Further, I am available to you and your staff in the future if you think my proposal merits additional discussion. I will cooperate any way I can.

Thank you, again, for your attention.

Stephen R. Lindstrom
6205 N.E. 19th Avenue
Vancouver, WA 98665
(206) 695-5528

SUMMARY

DRAFT GORGE LEGISLATION

Establishes the Columbia River Gorge as a national treasure.

Makes findings and establishes purposes to guide the necessary protective and enhancement management activities.

Establishes the Columbia Gorge Commission, composed of eight gubernatorial appointees and three federal representatives, to oversee the preparation and implementation of management plans for all affected entities.

Sets broad guidelines for identifying, protecting and managing sensitive and critical areas in the Gorge.

Requires each affected entity to develop and implement its own management plan to be coordinated with all others.

Provides for Commission to decide which management plan takes precedence in case of conflicts.

Provides mechanism for funding of preparation of local plans.

Provides for interim management and protection during plan formulation.

Provides mechanism for appeals of Commission decisions.

Establishes a conservancy trust for the acquisition and management of critical, sensitive and public use lands and shorelines.

Establishes an office and provides for hiring of staff, consultants, counsel and other professional assistance.

11/8/84 Lindstrom

(DRAFT) A BILL

To authorize establishment of the Columbia River Gorge Commission for the purpose of ensuring the protection, conservation, development and management of scenic, natural, cultural and other resource values consistent with regional development goals in Oregon and Washington and recognizing the strategic value of the Gorge as a transportation corridor of international significance, to establish national policies to assist in achieving this objective and for other purposes.

BE IT ENACTED by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION I

This Act may be cited as the Columbia River Gorge Act of 1985.

FINDINGS, PURPOSES AND POLICIES

SECTION II

A. Findings: The Congress finds that:

1. The Columbia River Gorge is a unique national and regional asset indivisible as a natural entity containing historic, cultural, biological, scientific, geologic and transportation resources which must be preserved and managed for the benefit of all citizens;

2. The Columbia River Gorge is a spectacular canyon of compelling and majestic beauty formed by the Columbia River cutting through the Cascade Range which contains magnificent scenic, natural and recreational resources of regional, national and international significance;

3. Because of its unique resources, the Gorge is a natural area for tourism and recreation, and the highways, trails and scenic viewpoints in the Gorge area are heavily used by residents of the nearby metropolitan area and by visitors from throughout the Pacific Northwest, the nation and the world;

4. The Gorge is a historic gateway between the Pacific Ocean and the interior of North America traveled by native Americans, explorers, traders and pioneers; evidencing human habitation for over eleven thousand years and currently home to some forty thousand residents; the Gorge area contains a major navigable waterway, two federal highways, and two transcontinental railroads used in interstate and international commerce; and, is today of vital commercial and economic importance to the Pacific Northwest and the nation in terms of transportation, energy production, fishing, agriculture, silvaculture and recreation;

5. State and federal agencies and private parties undertake land management and development activities such as timber harvesting, development of energy and transmission facilities and highway construction which affect the physical appearance of the Gorge area and have a substantial effect on interstate commerce;

6. So many different and divergent governmental agencies functioning in two states within the Gorge have made unified management difficult;

7. The 25-year-old Oregon and Washington Gorge Commissions have lacked the legal status and funding to adequately provide unified management for the Gorge area;

8. Oregon and Washington planning, zoning and land use laws are dissimilar and therefore the two states lack a directly parallel mechanism to coordinate their actions which would be necessary to protect and enhance the unique resources and uses of the Gorge and to resolve existing and potential differences between the states and inconsistent actions by them; and,

9. In order to protect natural, scientific, economic, cultural and other values of federal lands and facilities located within the Gorge, there must be cooperation between federal, state and lcoal governments in the Gorge through a management entity with the authority and financial resources to direct the protection,

management and enhancement of the Gorge's resources.

B. Purposes: The purposes of this Act are:

1. To establish a mechanism for effective cooperation in the Gorge by local, state and national interests through creation of a Commission with authority and resources to direct the development and enforcement of a unified management plan for the Gorge which is binding on all governmental entitites having authority over land use and water resources in the Gorge that will protect, preserve and develop its unique resources in accordance with the findings in Section I, Paragraph A;

2. To establish a single management entity charged with providing for and managing the public use and enjoyment of the Columbia River Gorge in a manner consistent with natural resource protection and maintenance of the landscape, including establishment, maintenance and operation of public recreation, natural areas and toruist and interpretive facilities to meet the needs of the growing population and increased travel in the region;

3. To establish a process by which critical and sensitive lands within the Gorge will be identified and a program to ensure their protection and preservation will be established and maintained; including:

a. Lands which must be continued in a natural state in order to protect the scenic and natural value of the Gorge;

b. Lands the essential character of which must remain unchanged in order to retain a harmonious blend of man-made and natural features;

c. Lands the present or presently-planned uses of which are in conflict with the values this Act seeks to protect and enhance;

d. Lands necessary to provide critical recreational and interpretive facilities and access to public lands and water for visitors to the area;

e. Lands which contain unique or significant archeological or botanical resources;

f. Lands which are essential for the continuation of activities determined to be necessary for the well-being of the residents of the Gorge and their customary enterprises; -4-

g. Development of a program for protection of the critical and sensitive lands identified by the Commission through a fee or less than fee acquisition by an appropriate federal or non-federal entity, land trades, restrictive covenants, scenic easements or other means;

h. Establishment of criteria for the treatment of urban, rural/and natural resource lands that provide appropriate residential, commercial, industrial, agricultural, silvacultural, mining, transportation and electricity transmission uses, practices and design standards; and,

i. Establishment of procedures for periodic amendments to the management plans as they effect the critical and sensitive areas.

4. To protect, conserve, and develop the scenic, natural, cultural, economic and other values of existing federal property located in the Gorge;

5. To encourage and strengthen traditional economic development efforts in the Gorge in addition to nurturing and promoting tourism and recreational pursuits which are compatible with the natural setting of the area;

6. To foster and enhance the historical uses of the Gorge as a vital transportation corridor in local, interstate and international commerce and as an important source of water supply and electrical power generation;

7. To provide resources, funds and assistance to state and local governemtns to realize the purposes and policies of the Act; and,

8. To provide for public participation in and review of Gorge management through the processes detailed in the Act.

C. Policies: The Congress hereby declares national policies:

1. To provide consistent, unified management of the Gorge area which shall give preference to long-term over short-term benefits, preserve the natural character of the Gorge and increase public access to and recreational opportunities in the Gorge, while at the same time identifying, preserving and protecting the unique natural, scientific and cultural resources of the Gorge;

2. To encourage and strengthen tourism, economic development and the vitality of existing municipalities, homes and businesses in the Gorge area; and,

3. To encourage public participation in and review of the management plans to be adopted by the Commission, to encourage federal and state agencies and local governments to utilize their full authority to carry out the purposes and policies of this Act and to ensure their actions are consistent with the management plans to be developed under this Act.

DEFINITIONS

SECTION III

Definitions:

A. "Agency" or agencies" refers to all state and federal agencies, departments, commissions, boards, instrumentalities and quasi-governmental entities which have any authority to undertake, assist, regulate or grant any permit, license or other form of approval for any land management or development within the Gorge area; provided, "assist" as used herein refers to any grant, loan, loan guarantee, sale of flood insurance or any other form of direct or indirect financial or technical assistance to any other agency, person, corporation or private entity;

B. "Columbia River Gorge", "Gorge" or "Area" as used herein refers to the combined geographical area defined on the effective date of the Act as the 140,001 acres specifically described as ...;

C. "Commission" refers to the Columbia River Gorge Commission established by Section V.A of this Act;

D. "Critical and sensitive lands" refers to lands or shorelines having any of the characteristics described in Section II. B(3) of this Act;

E. "Management plans" refers to the plans developed by federal and state agencies and local governments pursuant to Section VII of this Act which shall govern and regulate land management and development within the Gorge;

F. "Land management or development" or "development" refers to projects and activities, or permits and approvals which allow projects and activities, which may impact, alter or modify the physical appearance, form or character of land or shoreliens within the Gorge, including but not limited to:

1. Construction, expansion or location of buildings, mobile or modular homes, energy and transmission facilities or other structures;

2. Agency or local government approvals of zoning, subdivisions or other land use or development approvals or permits;

3. Public sales or conveyances of timber or timber lands, timber harvesting and other forest practices, except as already provided for by federal statute or state forest practices acts;

4. Land clearing, grading and filling, except normal agricultural and silvacultural activities;

5. New road or highway construction; and,

6. New sand, gravel or mineral extraction;

G. "Land" as used herein shall include "shorelines", which shall refer to (i) all lands extending landward of the low water mark of, (ii) all wetlands, bogs, marshes and deltas associated with, and (iii) all lands which are subject to intermittent or periodic inundatin with water from any river, stream or lake situated within the Gorge; and,

H. "Local government" where used in the Act, refers to any county, city, town port or other municipal corporation or other governmental entity created by or pursuant to state law and located or operating with jurisdiction in whole or in part, within the geographical area defined in Section III.B of this Act.

ESTABLISHMENT OF AREA
SECTION IV

Establishment of area:

The Columbia River Gorge is hereby established, consisting of all land located within the geographical area described in Section III.B of the Act.

ESTABLISHMENT OF THE COMMISSION
SECTION V

A. Establishment. There is hereby established the Columbia River Gorge Commission which shall administer this Act, and which shall consist of eleven members, to be selected as follows:

1. One locally-elected official each from Clark, Skamania and Klickitat Counties in the State of Washington to be appointed by the Governor of Washington;

2. One locally-elected official each from Wasco, Hood River and Multnomah Counties in the State of Oregon to be appointed by the Governor of Oregon;

3. One member-at-large who shall be a resident of the State of Washington to be appointed by the Governor of Washington;

4. One member-at-large who shall be a resident of the State of Oregon to be appointed by the Governor of Oregon;

5. The Administrator of the Bonneville Power Administration or his designee;

6. The District Engineer of the Portland District, U.S. Army Corps of Engineers, or his designee; and,

7. The Regional Supervisor for the Pacific Northwest Region, U.S. Forest Service, or his designee.

B. Terms. Members of the Commission shall be appointed for a term of three years, except the initial appointment of the members from Clark and Multnomah Counties and the member-at-large from Washington shall be for one year; the initial appointment of the members from Hood River and Skamania Counties and the member-at-large from Oregon shall be for two years. No member appointed by the Governor of Washington or the Governor of Oregon shall serve more than two full three-year terms, which shall not include partial terms served as a result of initial appointments.

C. Chair and Vice-Chair. The positions of Chair and Vice-Chair shall alternate annually between the states and be appointed from among the gubernatorial appointees. The Governors shall decide who shall appoint the first Chair. Subsequently, Governors shall alternately appoint the Vice-Chair. The Chair and the Vice-Chair shall not be residents of the same state. The Vice-Chair shall be the

Chair-Designate.

D. Vacancies. Any vacancy on the Commission shall be filled in the same manner in which the original Commissioner was directed, appointed or designated.

E. Hold-over terms. Any member may serve after the formal expiration of his or her term until a successor is appointed or designated, provided no such hold-over term shall last more than six months.

F. Voting. The Commission shall act only by affirmative vote of a majority of its members, except that a lesser number may, pursuant to rules established by the Commission, be authorized to hold hearings.

G. Compensation. Commission members shall be allowed per diem compensation and travel expenses in the same manner as prescribed for persons employed intermittently in the government service under Sections 5702-5707 of Title 5 of the United States Code as now or hereafter amended.

H. Commission Office. The principal office of the Commission shall be located within the Columbia Gorge at a place to be designated by the Commission and agreed to by the Governors of Oregon and Washington.

I. Meetings. The Commission shall meet at least once every three months and, to the maximum extent practicable, meetings of the Commission shall be held at a variety of places within the Columbia River Gorge area. The Commission shall give notice of all regular meetings and hearings by publishing notice seven days in advance thereof in two newspapers of general circulation in the Gorge area, one of which is published in Washington and one in Oregon. The notice shall state the date, time, place and agenda of the meeting. The Commission shall not be limited to considering items of business only included on the published agenda. The Commission may call such emergency or special meetings as the Chair or a majority of the members deem necessary without having first complied with the notice provisions of this Section, provided that the Commission shall make a reasonable attempt to notify the media in the Gorge area of such special or emergency meeting.

J. Appointment of Commission. Within thirty days of the effective date of this Act, the Governors of the States of Washington and Oregon shall appoint the members of the Commission as provided in Section V.A(1-4), and the federal agency members shall have indicated their intention to serve or have named their designees.

K. Exemption. Appointment to the Commission of local elected officials shall not require that they resign their other public office. Upon vacating their public or federal office for whatever reason, Commissioners shall within thirty days resign from the Commission.

POWERS OF COMMISSION
Section VI

Authority and responsibility - The Commission is hereby authorized to and shall:

A. Within ninety days after appointment of its members, direct all affected jurisdictions to submit within twelve months a management plan consistent with the findings and purposes of this Act and criteria established by the Commission subsequent to the provisions of this Act. The Commission is empowered to prescribe rules for the submission and format of the management plans;

B. Review and prepare findings of consistency of the management plans submitted by effected jurisdictions with the findings and purposes of this Act and criteria established by the Commission subsequent to the provisions of this Act;

C. Review all proposed exceptions and amendments to approved management plans for consistency with this Act;

D. Advise Congress and the appropriate federal agencies of sensitive and critical lands which should be acquired or otherwise controlled for permanent protection or for public use and enjoyment consistent with the findings and purposes of this Act;

E. Review and propose amendments to regulatory and land use processes affecting the Gorge as established in Section VII of this Act to establish and ensure consistency within the unified management area, promote regulatory efficiency and elimination of redundancy and to streamline the decision-making process; and,

F. Establish and conduct implementation measures which shall include, but not be limited to:

1. Technical and financial assistance to state agencies and local governments to carry out the purposes of this Act;

2. Adopt such rules as it may deem necessary pursuant to the procedures established in Section 553 of Title 5 of the United States Code; provided, validation and certification of the management plans shall not constitute adoption of rules within the meaning of Section 553;

3. Appoint subcommittees and advisory committees as needed and provide for their funding and maintenance;

4. Hear appeals pursuant to the procedures established in Section 554-557 of Title 5 of the United States Code and this Act;

5. Employ such staff as may be needed without regard to the provisions of Title 5 of the United States Code governing appointments in the competitive service. Employees of the Commission may be paid without regard to the provisions of Chapter 51 and Subchapter III of Chapter 53 of such Title relating to classification and general schedule pay rates, except that no individual so appointed may receive pay in excess of the annual rate of basic pay of Grade GS-15 of the general schedule as it is established from time to time;

6. Procure professional, technical and other services, including legal counsel, to the extent deemed necessary and at rates to be determined by the Commissione with adequate public review to be reasonable compensation for such services;

7. Establish and operate a conservancy trust, the purpose of which shall be the identification and long-term protection of sensitive and critical lands in the Gorge, including the acquisition through purchase, encouragement of land trades, restrictive covenants, scenic easements or other means, provided, the trust shall function as an intermediary entity--with no permanent ownership or management of lands, but passing acquisitions to appropriate public or private entities for long-term management and enhancement; and,

8. Sue and be sued.

ADOPTION AND CERTIFICATION OF MANAGEMENT PLANS

SECTION 7

A. Preparation. The Commission shall review,certify and suggest amendments to the management plans presented by the affected jurisdictions as provided for in Section 6A. The Commission shall hold public meetings and hearings to receive testimony from residents of the area, representatives of governments and agencies potentially effected by the management plans, and citizens and representatives of groups interested in the development and preservation of the Gorge. The Commission shall give notice of the dates, times and lcoation of such public meetings and hearings as provided in Section 5.I. of this Act. Public participation in meetings and hearings concerning the management plan~~s~~adoption shall be encouraged, and the Commission shall attempt to ensure that the objectives of the management plans, the actions to be undertaken in the preparation of the management plans and the time when such actions are proposed to be taken are well publicized and openly discussed by all concerned parties.

B. Open public meetings. All actions of the Commission shall be taken at open public meetings; provided, the Commission may hold executive sessions during a regular or special meeting: to consider matters affecting national security; to discuss pending or on-going litigation; to consider the appointment, employment or dismissal of a public officer or employee; or to hear complaints or charges brought against such officer or employee by another public officer, person or employee, unless such officer or employee requests a public hearing. The Commission also may exclude from any public meeting, hearing or executive session, during the examination of a witness on any matter, any or all other witnesses in the matter being reviewed or investigated by the Commission.

C. Interim guidelines. Within three months after appointment of its members, the Commission shall establish interim guidelines to carry out the purposes and policies of this Act until the management plans are developed and certified.

D. Management plans Within twenty (20) months after appointment of its members, the Commission shall have reviewed and adopted the management plans submitted by the effected jurisdictions pursuant to Section 7F.

E. Consistency. Within sixty (60) days of adoption by the Commission of the managements plans the Commission shall make available to the effected jurisdictions all other management plans and set forth conditions for establishing consistency and otherwise implementing the plans jointly where jurisidictions overlap, are dependent upon each other or must otherwise coordinate in order for consistent application to occur. All local governments and agencies shall provide written notice to the Commission of their intent to comply with the management plans as adopted noting any inconsistencies between their own plan and the plans of other jurisdictions effecting their planning, regulatory or management activities. If any local government or agency fails to submit a management plan or fails to provide written notice of intent to comply with the other management plans effecting their planning, permitting, regulatory or management activities, the Commission shall carry out the requirements of this Act and adopt a management plan for that local government or agency and direct that local government or agency comply with that management plan as well as with the other jurisdictions management plans that effect that local government or agency.

F. Arbitration. The Commission shall evaluate inconsistencies between various management plans with overlapping jurisdiction and arbitrate between the plans, determining which plan elements or characteristics shall be subordinate to other plans. The decisions of the Commission shall be binding upon the effected jurisdiction or agency.

G. Commission Review of Management Plans. Management plans shall become effective upon review and certification by the Commission. The Commission shall complete its review within six months of submission to it of a management plan.

H. Effect of Submission of Inconsistent Management Plan. If the Commission finds that a management plan is not consistent with the findings and purposes of this Act, the Commission shall so notify the agency or local government submitting the plan within six months of submission. The Commission shall state in detail the basis for that decision and shall submit to the agency or local government suggested modifications to the plan to make it consistent with the findings and purposes of this Act. The Agency or local government shall have ninety (90) days after it receives recommendations from the Commission to make modifications eliminating the inconsistencies and to re-submit the plan to the Commission for approval. Any re-submitted management plan shall take effect when and in such form and content as it is certified to the local government or agency by the Commission. In the event that the

Commission determines that a re-submitted plan is not consistent with the findings and purposes of this Act, the Commission may draft, adopt and certify a management plan for the agency or local government.

I. Later Submission by Federal, State or Local Government or Agency. In the event a federal or state agency or local government has not complied with the requirements of this Section, it may thereafter on written notice to the Commission elect to develop a management plan, in which event it shall comply with the requirements of this Section. Upon certification of such a management plan by the Commission, it shall supersede any plan that may have been adopted by the Commission for that local government or agency.

J. Federal and state agencies and local governments not initially required to submit management plans or letters of intent to the Commission pursuant to Sections 6A and 7E of this Act, shall submit letters of intent within sixty (60) days and managements plans within twelve (12) montns, of the occurrence of one or more of the following events:

1. Creation after the effective date of this Act of a federal or state agency or local government which is authorized to undertake, assist, regulate or approve activities which constitute land management or development as defined in this Act;

2. Additions to or changes in the functions or authority of an existing agency or local government which authorizes it to undertake, assist, regulate or approve activities which constitute land management or development as defined in this Act; or

3. A determination by an agency or local government which does not normally undertake, assist regulate or approve activities which constitutes land management or development as defined in this Act to do so.

K. Effect of Certified Management Plan. Upon certification by the Commission of a management plan, that plan shall become the basis for all subsequent decisions by the agency or local government concerning all land use management and development and shall overlay and supersede all conflicting or inconsistent statutes, laws, ordinances, plans, rules and regulations.

L. Amendments of Management Plans. Either the Commission or an agency or local government having a certified management plan may propose such amendments as it deems necessary from time to time. Proposed amendments shall be reviewed and approved or disapproved in conformance with the requirements of this Section.

INTERIM PROCEDURES

SECTION 8

Interim Review of Land Management or Development Activities.

A. Activites requiring Commission review. No land use management or development shall be undertaken, assisted, regulated or approved by any federal or state agency or local government, or any official or employee thereof, between the effective date of this Act and certification by the Commission of a management plan for the agency or local government pursuant to Section 7 of this Act until sixty (60) days have expired after the submission to the Commission of any proposal or application for such land management or development.

B. Procedure for Commission Review.

1. Prior to certification of its management plan, every agency or local government which proposes to undertake, assist, regulate or which receives an application for land management or development approval or permits in the Gorge, shall give notice of the proposal or application to the Commission.

The notice shall include a copy of the application and all plans, profiles, studies and other documents related to the proposal or application available to the agency or local government. Within thirty (30) days after receipt by the Commission of the notice required above, the Commission shall review such proposal or application to determine whether it is consistent with the findings and purposes of this Act, the Commission's interim guidelines and any management plans previously adopted. If the proposal or application is determined to be consistent then the Commission shall agree that the proposal or application can be processed and approved subject to normal procedures established by the agency or local government. If the Commission determines that the proposal or application is inconsistent with the findings and purposes, guidelines or management plan, it shall so notify the agency or local government submitting the proposal or application, setting forth the reason for its decision in writing.

2. In the event the Commission has made a written determination of inconsistency, no land management or development shall proceed unless, upon resubmission of the proposal or application to the Commission, a determination of consistency is made. No proposal

or application shall be resubmitted to the Commission unless it has been modified to eliminate the inconsistencies found by the Commission. In the event the documents constituting notice described in B1 above are not all received by the Commission on the same date, the thirty (30) day review period will commence on the later of the submission dates.

3. Upon certification by the Commission of a management plan pursuant to Section 7 of this Act, the requirements of this Section shall cease to apply to the agency or local government for which a management plan has been certified;
provided, that nothing in this Section shall be construed to prohibit the Commission from receiving and investigating complaints of non- compliance with such certified management plans or taking such actions as it deems necessary to enforce the provisions of this Act.

FEDERAL LANDS WITHIN AREA

SECTION 9

Conflicts with Federal Agencies Managing Lands within Area. In the case of conflict between any provision of this Act and any other provision of law applicable to federal management of lands within the Gorge area, the provisions of this Act shall prevail.

INTERGOVENMENTAL COOPERATION

SECTION 10

Retention of State and Local Jurisdiction. Nothing in this Act shall diminish, enlarge or modify any right of the State of Washington, the State of Oregon or any local government of either state to exercise civil and criminal jurisdiction within the area or to tax persons, corporations, franchises, or property including mineral or other interests in or on lands or waters therein.

B. State and local land use powers fully exercisable. Nothing in this Act shall be construed to prevent the enactment, adoption or implementation by any state or local government of any law, ordinance, rule or regulation, plan, land use control or other provision of law which is consistent with applicable state law and with the provisions of this Act. In the case of conflict between any provision of this Act and any other provision of state or local law applicable to lands within the area, the provisions of this Act shall govern.

INDIAN RIGHTS NOT IMPAIRED

SECTION 11

Indian Rights Not Impaired. Nothing in this Act shall be construed to alter, amend, repeal, impair, modify or otherwise effect any treaty or other right of an Indian tribe.

EXEMPTION FROM NEPA AND SEPA

SECTION 12

No plan certification, interim regulation or other act by or of the Commission authorized in this Act shall be subject to or require compliance with the National Environmental Policy Act, 42 USC, §4321, et seq or the Washington State Environmental Policy Act, Chapter 43.21 C, Revised Code of Washington; provided any federal or state agency or local government undertaking, assisting, regulating or approving land management or development shall comply with the National Environmental Policy Act or the Washington State Environmental Policy Act if said development is otherwise covered by said acts.

EXEMPTION FROM THE ACT

SECTION 13

Exemptions from Act. The provisions of this Act shall not apply to:

A. the development, construction and operation of new locks at the Bonneville Dam;

B. Any development essential to the protection to the public health or safety or necessary for national security or defense;

C. Any development which has commenced prior to the date of enactment of this Act; provided,

1. For development undertaken by or receiving assistance from agencies or local governments, "commencement" shall occur at such time as binding agreements or contractual obligations for the development have been entered into and such agreements or obligations cannot be cancelled or modified without substantial monetary loss or penalty or if not contract or binding agreement is used or required, at such time as actual physical modification of the land or shoreline has occurred; or

2. For development consisting of agency or local government approvals or permits for development, "commencement" shall occur at such time as agency or local government has issued all required permits and approvals for the development; and,

D. Any proposed development shall be exempted from the provisions of this Act if the Commission reviews the proposed development and finds it consistent with interim guidelines and the findings and purposes of this Act as set forth in Section 8B.

JURISDICTION

SECTION 14

D. Jurisdiction of Federal Courts. If any party fails to comply with the terms and conditions of the findings and purposes of the Act, interim guidelines, the management plans, or other decisions or orders of the Commission, the Courts of the United States shall have exclusive jurisdiction of actions arising thereafter.

APPEALS

SECTION 15

Decisions Appealable. All decisions and orders of the Commission made pursuant to this Act shall be deemed final unless a written appeal stating the basis and arguments therefore is filed in the office of the Commission no later than thirty (30) days after entry by the Commission of the decision or order being appealed. Rules adopted by the Commission shall not be construed as decisions or orders under this Section. The Commission may establish an appeals committee to hear appeals arising under this Act. The Vice-Chair of the Commission shall chair the Appeals Committee which shall be composed of, in addition to the Vice-Chair, two members of the Commission from each state to be appointed for a single two-year term by the Chair of the Commission. The Commission may employ such administrative law judges as it deems appropriate to conduct appeal hearings for the Commission or the Appeals Committee and to make recommendation to the Commission or to the Appeals Committee. All appeal hearing shall be conducted pursuant to Section 554-557 of Title 5, United States Code. All decisions of the Commission or of the Appeals Committee, if such a committee is established, shall be final unless within thirty (30) days of the decision an action is brought in the United States District Court for Washington or Oregon challenging the decision.

AUTHORIZATION OF APPROPRIATIONS

SECTION 16

A. In General. Effective for the fiscal years commencing after September 30, 1983, there are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

B. Effective for fiscal year that ends September 30th, 1985, there is appropriated ________________ dollars for the operation of the Commission and the initial implementation of this Act. Subsequent separate and additional appropriations may be made for trust operations.

COMPLIANCE WITH BUDGET ACTS

SECTION 17

Compliance with Budget Act. No authority under this Act to enter into contracts or to make payments shall be effective except to the extent and in such amounts as provided in advance in appropriations acts. Any provision of this Act which, directly or indirectly, authorize the enactment of a new budget authority shall be effective only for fiscal years beginning after September 30th, 1983.

LIBERAL CONSTRUCTION

SECTION 18

Liberal Construction. This Act is remedial in nature and shall be liberally construed to achieve the purposes set forth herein.

SEVERABILITY

SECTION 19

Severability. Should any Section, subsection, paragraph, sentence, clause or phrase of this Act be declared unconstitutional for any reason, such decision shall not effect the validity of the remaining portions of this Act.

Approved this ______ day of ___________, 198_.

Senator EVANS. Thank you, very much, for some very thorough testimony, including some draft legislation which really will be helpful to us.

OK, thank you all, very much.

Next, Ed Brislawn, Lena Pierce, Tom Price and Ray Walker.

All right, Ed Brislawn.

Ms. ESCH. I'm speaking on behalf of Ed Brislawn. He had to leave and he wanted to be sure that this was read.

STATEMENT OF ED BRISLAWN, LEGISLATIVE CHAIRMAN, CHAPTER NO. 1145, AMERICAN ASSOCIATION OF RETIRED PERSONS, AS PRESENTED BY SHERRY ESCH

Ms. ESCH. Senator Evans, I lived in the Dalles, OR, from 1937 to 1941, and have owned the land on which I live since May 1941. I have 4 years of military service in World War II. I am a longtime member of the National Alliance of Senior Citizens, the National Association of Mature People, and have served for 10 years on the Advisory Board of the Southwest Washington Area Agency on Aging.

I am here today in my capacity as legislative chairman of Chapter 1145 of AARP. I have also been asked to represent Chapter 1058 in West Klickitat County.

Senator, this move to save the Columbia Gorge reminds me of the Save the Seals campaign some years ago. What those people were objecting to was killing these seals and using their skins for a frivolous purpose. In the same vein, we object to taking the Columbia Gorge, which is a living, economically important, social and natural community, and shooting it and stuffing its skin for a frivolous purpose, as sort of an environmental lobbyist's trophy.

The Columbia Gorge is not a gorge, it is a river valley with people and homes and an inportant economy. It has industries, working people and retired people.

Not only are the overwhelming majority of residents opposed to anymore Federal control than we have now, but seniors especially object to losing control through locally elected officials and forced to deal with unelected bureaucrats with a set of varying, subjective values and rules.

We also object to the imposition of policies and programs that will make this area more difficult to live in. Seniors are not mobile people, Senator. We require services—doctors, hospitals, grocery stores, pharmacies—close to home. As Federal land acquisitions cause our population to decline, these services will disappear, either because there are no longer the people to support them or because there is no longer the tax base to support them. The prospect of escalating property taxes is of particular concern to those who live on fixed incomes.

If the environment is thereby changed, the senior is faced with some adverse social and economic problems. Move? It is difficult to move. Many cannot afford to move. Most seniors own their own homes. Can they relocate if they have to dispose of their homes at giveaway prices imposed by economic decline, depopulation and Federal regulations? The social consequences? Leaving friends and relatives at a time in their lives when putting down new roots is very difficult, moving to more urban areas where crime against the frail elderly, almost unknown here, is a problem even in the daytime.

In these times of skyrocketing Federal deficits, with Social Security insecure, with Medicare sick, does it make sense to further mortgage our grandchildrens' future to replicate what the residents of the gorge have been doing for years for free?

Are we, the long-term residents who have fostered both the beauty and the usefulness of the gorge, to be rewarded by having the control taken out of our hands and given to those whose only claim to being expert is that they live more than 50 miles away?

This reminds me of my early youth, when I lived on a farm in eastern Washington. My father had taken an old Buick touring care and made it into a pickup, which he encouraged me to drive to haul supplies around the farm. At age 12, after I had been driving for a couple of years, my young girl cousin, Kathleen Rose Ryan, said "if I knew how to drive, I could drive better than you can."

I have lived here too long to want to see the gorge drive by those who do not have a handson familiarity with it and may wreck it in the process.

Thank you, Ed Brislawn.

Senator EVANS. Thank you, very much.

Tom Price.

STATEMENT OF TOM PRICE

Mr. PRICE. Thank you, Senator Evans. This may not go smoothly because I'm not reading a prepared text, I'm telling a story.

I live at Franz Lake, which you should know a little bit about. In 1855 the Federal land grand for that area was given to Louie and Kinzey Maher, and they are both buried on the property. They sold it in the mid-1880's to Thomas Strong. His son sold it to my father in the 1930's. It's been in the family since then—three families in 130 years.

Sometime since the 1930's when my dad bought the property the county moved the western-end boundary line. We don't know when and why except that it does conform to a section line now. In 1976 my brother, his wife and I came back into the gorge after being out for a while, and we discovered that the Washington State Department of Game had hired two wildlife biologists to come in and do a wildlife survey. The first indication we had of this was that the wildlife biologists were on the job. Nobody bothered to ask us about it before those people went to work on our property.

In the summer of 1977 we restricted grazing because we found out the cattle were eating wapato, which is a rare, threatened and endangered plant. In the fall of 1977 we stopped the hunting on Franz Lake. In the summer of 1979 we had the property surveyed and discovered that in an area where the assessor was taxing us on 53 acres, the surveyor could only find 41. The assessor gave us 3 years back credit caused by the erosion which they had not detected. That was generous of him, I guess. During the winter of 1978–79, there were eight whistling swans on Franz Lake. We thought that was great.

In the summer of 1979 the nature conservancy came out and talked to us about purchasing Franz Lake to preserve the wapato. But, while they were out here talking around, they found out that the Federal Government was going to buy it real soon, so they didn't need to. This didn't make us very happy because we weren't all that interested to sell, and we weren't real happy to hear it was going to be taken away from us if we didn't sell.

It was the summer of 1979 that Chuck Williams, who spoke earlier, informed us that we ought to get building permits right now, at least get the foundation laid, because by 1980 the Federal Government would control the gorge and stop all new construction. His timetable was off, but I think his prediction still looks like it could be accurate. In the winter of 1979 and 1980 there were 32 swans on the lake.

In the fall of 1980, the Friends of the gorge came by to visit. There were about a dozen of them. They walked past me. They said they had permission, though actually they didn't. They didn't break stride, they ignored me totally, just as the Washington State Department of Game had ignored me. I was told later on by Nancy Russell that I had no choice, that if I didn't sell to the Federal Government they would take it away from me, and the Friends of the Gorge were going to see to that. In the winter of 1980-81 there were 60 swans.

In the fall of 1981 the Friends of the Gorge bill came out. At that time, I put up 9.5 acres for sale. It's still for sale. Not even a nibble. In the winter of 1981-82 there are 100 swans.

In the fall of 1982 U.S. Fish and Wildlife came out with a report that had six pages on what should be done with Franz Lake. About 3 months later I met the man who wrote that report, and it was the first time he had talked to us. They went in and did the investigation and didn't bother to talk to us.

I'll skip a couple of things.

We've got 220 swans, wapato has come of the endangered list, and I take the major portion of the credit for that, and you have released to the papers the value of our property. I don't expect you to tell me now who did the assessment on our property, when and why, but I would like to know if you, among other bureaucrats, will ignore the property owners to the extent you don't even consult us before you release the value of our property? How can we have confidence in any other form of bureaucracy that's supposed to govern us? If you're not in touch with us, and obviously you're making quite a bit of effort to keep in touch with us, how can somebody who has the entire gorge to manage be trusted to do a thorough job of keeping in touch with the people, and not running right over the top of them like so many bureaucracies have in the past?

Senator **Evans**. I'm not sure I know, what's the lake again that you're talking about?

Mr. **Price**. Franz Lake. Franz and Authur Lake is what's known by to the Corps of Engineers and the Fish and Wildlife people. You stated the value of Franz and Arthur Lake was $672,000, and that that was a potential site for purchase instead of Steigerwald Pond. And you didn't talk to us.

Senator **Evans**. That was a value put on it by U.S. Fish and Wildlife Service, not by anything we have anything to do with.

Mr. **Price**. They deny ever having that assessment or appraisal.

Senator **Evans**. I think we have a letter from them.

Mr. **Price**. Well, all I can go by is my friends that I talked to in the Fish and Wildlife Service. I've been run down by bureaucracies for the last 8 years and I don't like it at all. I don't anticipate getting along with any Federal control group because they would have more power than any of the bureaucracies I've dealt with. It's a nasty feeling to have somebody just go on by, walk right over the top of you, do what they want to with your property.

Senator **Evans**. They can't. Some may think they can, but they ultimately can't unless there's the legal justification to do it.

Mr. **Price**. They haven't been stopped in my case yet.

Senator **Evans**. Thank you, very much.

Next, Bill Baxter, Carol Kovach, Gary Kovach, and Larry Upson.

Larry Upson.

STATEMENT OF U.L. "LARRY" UPSON, UNDERWOOD, WA

Senator **Upson**. First, I'd like to make a clarification on a statement that was made. If one were to make a large subdivision, with wide streets, sidewalks, shopping malls, schools, churches and lots of parks, you might end up getting three houses per acre on the average. But, a 50- by 100-foot lot, 5,000 feet, is less than one-eighth of an acre, not one-third.

It's been said that if the gorge legislation affected their homes, the Friends wouldn't want any gorge legislation. Well, my wife and I live in Underwood Heights, in the east end of this county on top of a bluff in the heart of one of the most crucial critical areas; so, if anyone is in danger of being hurt by any management of the gorge, we are. Therefore, we share some of the fears of our friends and neighbors here in Skamania County. But, we're members of the Gorge Coalition, I'm a member of the board of Friends of the Gorge, and I also am a member of AARP, incidentially.

We have found from sad experience, and I was one of the plaintiffs in the *Rizor* case and put up our property as a guarantee of bond, which is a little bit of a risk. So, we just can't depend on local government which has other and conflicting responsibilities to do what's necessary and really protect the gorge from creeping suburbanization, which might move into a gallop if things improve.

So, we have to do something, and we have to do it now, and we really have to think about whether a Federal management plan will actually be as bad as some of us have been led to believe by those who want us to believe that. Perhaps it could, but it doesn't have to because, as I argued with Chuck Cushman in the early days of this hassle, legislation can be written so that all the horror stories he told, some true but most not, just can't happen here. I had hoped that the Packwood bill would be that kind of legislation, with limited goals clearly stated to preserve the scenic beauty of the gorge, and so forth, and to preserve the small viewpoints, waterfalls and things and, of course, make room for tourist parks and things.

Lands not affecting those goals should be held to be unaffected by the gorge legislation, in my opinion. Preservation of the tributaries which provide our waterfalls, cascades and our fisheries resources should be added where it doesn't already exist. It should also be clearly stated that although residential development of the gorge must be regulated, it will not be prohibited. It should be categorically defined where logging will be permitted and where it will not. The Friends of the Gorge have not categorically come out against any logging. I know it's been said by some spokesmen for the Friends that contour logging would be acceptable excepting along shorelines and things, along buffer zones. So, many things you've heard are not true about our intent.

The Packwood bill does not say there won't be or can't be that kind of management, but it fails to say flat out that there will. It's a fault of omission rather than commission. I believe we should have such assurances, and that with such assurances the gorge can be protected without serious effect on any of us living here, unless we want to sell to some take-the-money-and-run developer or otherwise despoil this beauty spot. The Packwood bill is now dead in the water, but there's a lot of good stuff there, lots of hard work, thought, sweat, and tears by a lot of people who really cared. So, when it comes to writing next year's bill, let's not throw out the good with the water. Let's use that work as a frame upon which to build a better bill that we all can live with and support.

The gorge commission as constituted in the Packwood bill is about as good as you're going to get. Each county in the gorge has representative on the commission, but all of them together are not quite a majority. Each State has strong representation, but not quite a majority. Federal presence is only enough to give representation to the three chief resources of the gorge, the forest, the dams, and the fisheries. A commission so composed can give stronger protection to the gorge than any Washington, DC-based bureaucrat who might turn out to be another James Watt. So, I think the policymaking power of the gorge should be vested in the locally based gorge commission.

The commission also should be empowered to serve as an agent of appeal for conflicts not satisfactorily resolved by appeal to the Forest Service. Easily accessible to the people and able to go to bat for them, it should rarely be necessary for any individual landowner to resort to the courts.

With clearly-defined goals and clear limits to the administrative power, with broad policy established by people who care and understand, and with easily-attainable justice in working out conflicts, I think we all can live very nicely with Federal management of the Gorge. To achieve such a balanced, fair and effective management plan for the Gorge is important not just to us, but to all the Nation. It is extremely important to reverse the tide of distrust of government and to do so by good example. We must show to ourselves and to the world that our form of government does work, that the government can be the servant of the people, doing for them that which, alone, they cannot do for themselves. Such legislation can be enacted, should be enacted, and must be enacted if we are to save both the beauty of the Gorge and the government of the people.

I know, Senator Evans, from your record as Governor of this State and from your subsequent accomplishments that you share these aspirations. I look to you to bring the needed firmness, fairness, and good sense to this legislation and to take a leading role in obtaining its prompt enactment.

Thank you, very much, and thank you for your patience.

[The prepared statement of Mr. Upson follows:]

Copy #13

Extension of the oral testimony of
Larry Upson, Underwood, Skamania County, Washington
presented at the hearing on the Columbia River Gorge legislation held by Senator Dan Evans in Stevenson, WA,on November 8, 1984.

SUMMARY

My wife and I reside in the Columbia River Gorge at the east end of Skamania county, and our home is on the very face of a prime "critical area". Therefore we are among those to be most affected by any restrictions imposed by the agency given the responsibility to manage the gorge. I also am a citizen of this nation--all of it--who is deeply concerned with environmental, scenic, and wilderness protection for the benefit of all the people, and I have been active in these endeavors for over 35 years. For these reasons, I believe I have a well-balanced view of the needs and problems involved in formulating legislation to provide firm and lasting protection of the scenic and inspirational values of the gorge, and at the same time to afford to the residents of the gorge a like degree of protection of their civil and economic rights.

I support the concept of a National Scenic Area in the gorge, and I believe that the Packwood bill (S.627) provides the best framework at hand upon which to construct new legislation to provide the balance of protection I believe to be necessary. I fully believe such legislation CAN be achieved!

The composition and functions of the Gorge Commission seem to me to be critical factors in arriving at a firm, fair, and workable management plan for this area of diverse and conflicting values; and the composition presented in the Packwood bill, giving representation to each county in the affected area--but no majority to "local control", and giving equal voice to both states/but no majority to either, seems to me to have been well chosen. By its geographical, political, and inevitable philosophical diversity, a Commission so constituted should prove well able to resist the pressures of special-interest groups--even more so than a federal agency subject to the changing winds of national politics.

I believe that a Commission so constituted will be strong enough to safely undertake a much greater policy-determining role than assigned to it by S.627, and I strongly recommend a move in that direction. I believe also that the Commission should be empowered to serve as a designated agent of resort, intermediate between initial administrative appeal and appeal to the courts,in the resolution of conflicts between the managing agency and those affected by its decisions. The process by which a private citizen, in particular, can appeal for a redress of grievances should be as simple as possible, and the need to undergo the trauma and expense of appeal to the courts should be reduced to the minimum consistent with the goals of this legislation.

I feel certain that the desired goals of this legislation will be most fully achieved, and the gorge will be most easily and most fairly managed if those goals are categorically defined in the enabling legislation. The goals so defined should be specified as the only goals of this legislation, so that the people can rest assured that unless their property or activities can be shown to present a real impediment to the achievement of these goals, they will be virtually unaffected by the legislation.

I believe this legislation should take into account the need of the people to feel free from the threat--real or imagined--of capricious or willfully unjust action by the gorge management, and that such legislation will meet with acceptance by a majority of the residents of the gorge, as well as by an overwhelming majority of those living elsewhere in the state. Support of such a bill should prove to be a political asset rather than a potential liability. I believe that such a strong, wise and fair bill is entirely achievable and necessary, and I look to you, Senator Evans, to take the lead in bringing it to fruition.

BACKGROUND

When my wife and I purchased our property in the gorge in 1967 for our eventual retirement home, we anticipated a restful, strife-free life in an idyllic setting; and when we made this our sole home in 1980 there was no reason to think otherwise. However, when I became aware of the proposed Rizor subdivision opposite Multnomah Falls, learned that there were no zoning restrictions in the county, observed that even recently-enacted county procedures were being by-passed by the commission, and discovered that Colonel Rizor was employing a transparent ruse to circumvent state subdivision laws--all with the consent of the county commissioners, I could no longer remain passive.

On learning of the Columbia Gorge Coalition, I joined it; and I began writing letters to the editors urging others to do so and supporting opposition to unregulated development. I then was asked to become a member of the steering committee of the then-forming Friends of the Columbia Gorge, and I accepted. The steering committee became the board of directors, and I have been a board member of the Friends ever since--rarely missing a meeting.

Our early meetings were largely devoted to education about the gorge, organizational matters, and communication with legislators and with the public--by calling meetings, attending meetings called by our opponents and by legislators and other officials, and by person-to-person contacts in our respective communities. (These meetings continued for an extended period, but because of the intransigent hostility of a majority of the people--incited by the local power structure, even to the point of bringing in an "outside agitator", Charles Cushman, at public expense--rational discussion has rarely been possible.)

In order to facilitate getting the desired legislation before the Congress, we began working on a draft bill for submission to the Oregon senators for introduction. Meetings were increased to monthly or more often, and item by item we hammered out a consensus on the major points of issue, being already in accord on the need to establish a National Scenic Area. While most of the motions were submitted by Nancy Russell as already formulated by the staff or officers and their advisors, few were passed without debate and many were altered by the board before passage. We were not a rubber-stamp board, as some would have you believe. Since more often than not board members living in the gorge constituted a majority of those present, the rights of the residents were never out of mind, and much consideration was given to minimizing the disruption of lives and enterprises in the gorge, except where in direct conflict with scenic preservation.

The actions of the board were immediately transmitted to the Legislative Committee, which with the assistance of a volunteer attorney experienced in these matters and the advice of legislative aides and government staff experts, was expending intense and dedicated effort to complete the draft by the deadline imposed by the legislative calendars.

The draft bill was made available to the board for review as soon as possible--but painfully close to the "deadline". On reading the bill, at least some of us were appalled to find no mention --neither acceptance nor rejection--of some of the protective and limiting considerations we felt to be imperative, leaving far too much, we thought, to administrative discretion. And although motions were made and passed to correct some of these deficiencies, the extensive reworking entailed made their incorporation in the draft bill impossible, and corrections were left to be worked out in the subsequent give and take of legislative processes--such as this hearing.

Inasmuch as previous hearings and communications have not yet produced the changes I feel to be essential, I present them below for your thoughtful consideration.

PROBLEMS & RECOMMENDATIONS

In the formulation of policy and intent for incorporation in the draft bill to be submitted by the Friends of the Columbia Gorge, the board guided itself primarily by those considerations critical to our main objective--preservation of the scenic beauty of the gorge as seen from the "view corridor" comprising highways I-84 and US30 in Oregon and Washington highway #14, and all lands and waters in between. We were also concerned that there be the power to extend the development of parks, viewpoints, and recreational areas along the highways or adjacent thereto, in addition to those now existing which are concentrated at the west end of the gorge on the Oregon side.

There is, of course, no special authority in the findings and recommendations of the board members of FOCG as such, nor any special relevance to the content of the final legislation, but they do represent the considered opinions of dedicated and knowledgeable citizens from both sides of the river, and they were the basis of the initial bill and of the assurances given to the people of the gorge relative to its intent.

Although there was general agreement that industrial, commercial, and residential-development growth should be concentrated within boundaries or growth boundaries of existing incorporated cities, it was never, to my knowledge, even proposed that new single-family residences outside those boundaries be prohibited. The fact that we discussed the necessity to require screening vegetation, compatible design, and muted colors for any new construction in visible areas testifies to that. Nevertheless, those opposed to any state or federal participation in the management of the gorge have claimed that the legislation does indeed make that prohibition. Much of the opposition to this bill would have been dissipated by the inclusion of specific statements to the contrary on this and other false charges leveled against it.

Therefore, I feel that the essence of the following recommendations be incorporated in the new legislation:

1.a) The term "view corridor" shall refer to all lands and waters lying between and including highways I-84 and US30 on the south and Washington highway 14 on the north, and within the east-west boundaries of the National Scenic Area, and to all parks, viewpoints, and recreation areas adjacent thereto.

b) All lands and waters to be dedicated to park, viewpoint, or recreational public use and to be included in the view corridor shall be designated and geographically defined within 5 years of the enactment of this legislation. Such areas not adjacent to highways or designated subsequent to this 5-year period shall not be considered to be within the view corridor.

c) The term "viewable" shall refer to all lands and waters within the National Scenic Area which are visible from any point in the view corridor.

2.a) New residential homes and ancillary structures to be constructed on viewable sites shall be limited to single-family dwellings and shall be required to meet reasonable criteria as to style, height, texture and color, appropriate to their natural surroundings, and shall be so shielded by natural vegetation, existing or added, as to be inconspicuous from the view corridor--if necessary, requiring that no more than one-third of any structure or other large man-made improvement shall be visible through any single opening in the vegetative screen from any one point in the view corridor.

b) Existing viewable homes and structures, depending upon the degree of viewability, may be required to have added vegetative shielding as described in 2.a above, and may be required to be repainted in muted tones at the next normally-scheduled time for repainting, but not later than ten years following the enactment of this legislation.

Policy-making and decision-reviewing authority should not be given solely to any one administrative office, nor should that office be denied sufficient power for efficient management free of undue review and consultation impediments. There are dangers in giving too much discretionary power to management executives. If the seat of power is as far away as Washington, DC, or vested in a manager who is philosophically or culturally remote from the lands and people under his jurisdiction, severe errors of judgment are likely to occur. Expected short tenure may greatly impair the development of needed understanding of the situation or of the people. Career considerations may lead to "empire building" or other excesses in management; and the vagaries of the pressures from changing national administrations may dender a steady course impossible to achieve.

I recommend therefore that more power for determining overall policy for gorge management be vested in the Gorge Commission --as constituted in S.627, making it a quasi-legislative rather than an advisory body; giving to the administratice agency full executive power in the application of prescribed policy.

I recommend also that quasi-judicial power be granted to the Commission so that appeals not fully resolved in administrative hearings held by the executive agency will be considered and if possible resolved by the Commission as the normal step preceding appeal to the federal courts--for quicker justice and for the ease and convenience of those individual citizens* can be so resolved, and do not justify the expense of court action and legal representation.

* insert "whose problems"

BIOGRAPHICAL PROFILE

My wife and I live in the gorge, atop a bluff on the Washington side--some 1100 feet above the river, in Underwood Heights in the east end of Skamania county. This is across the Columbia from the west edge of the city of Hood River.

We purchased the land in the mid-sixties as the site for our retirement home, which, having retired first, I designed,and participated in the construction; and my wife joined me here in early 1980. This is our sole and permanent residence.

Our home gives us a magnificent view of the gorge, of the Hood River valley, and of Mt. Hood. Many homes similarly situated are also themselves highly visible--from the river and from the Oregon shore, e.g. I-84; but because we were careful to leave enough screening trees between us and the gorge, and stained our rough-textured home in muted tones of brown and green, it is difficult to detect from the opposite shore, even by us. We will, however, be subject to whatever restraints may be imposed on residents of the gorge within a "critical area", should legislation establish a National Scenic Area or similar status for the gorge.

Conservation, especially of wilderness, scenic, and recreational areas, has been of deep concern to me for many years. My active involvement was sparked by my attendance at a convention of the Federation of Western Outdoor Clubs (FWOC) held high in the gorge at the Nesika Lodge of the Trails Club of Oregon (of which I'd been a member since the early 30s) shortly after my release from the service in the late 40s. Prior to the war I had hiked extensively on both sides of the gorge, and in the Cascade mountains, and had been an active mountain climber. In 1950, I contracted polio (at almost 40) and since then have been limited to moderate hiking; but just prior to that I founded the Inter-Mountain Alpine Club in Richland Washington (where I was a research scientist for 25 years, and my wife was reference librarian at the Richland Public Library.)

I testified for the IMACs and for myself at a hearing on the original Wilderness bill conducted by Dick Neuberger, in Bend, Oregon; and later at many other hearings, both administrative and congressional, including that in Seattle on the North Cascades National Park. Currently I am a member of the FWOC (Life, and past-VP), North Cascades Conservation Council(Life), Sierra Club, Alpine Lakes Protection Society (ALPS), Washington Wilderness Coalition, The Wilderness Society, and,more recently, The Nature Conservancy, Friends of the Columbia Gorge, and Columbia Gorge Coalition. Over the years I have supported many ad hoc conservation causes--the Redwoods, Hells Canyon, Cougar Lakes, Indian Heaven, etc. And I am still a member (honorary) of IMAC.

At the seme time, I have felt at least equal compulsion to work for human rights and just government. In the early 50s I was a founding member of the Benton-Franklin chapter of ACLU, and served for a number of mostly non-consecutive terms as chairman of that group; and for several years was a member of the board of the Washington (state) affiliate. I also was a founding member of the Tri-Cities chapter of CORE, have served as a state officer of United Nations Association, and on the board of Ben Franklin Legal Aid (until taken over by Evergreen).

In early 1970 I became involved in a problem with both political and environmental aspects--as also did you, as then Governor of Washington. With three Oregonians and two other Richlanders --Pat Cochrane and Dick Nelson, past and present state legislators, resp.-- I was a plaintiff in a class-action suit against the federal government (Secretary of Army, etc.) to halt the shipment of leaking, over-age nerve gas cannisters from Okinawa to the Umatilla Depot near Hermiston,Oregon,via Bangor and thence by rail up the Columbia gorge. Our suit became moot, you will recall, when you and Governor Tom McCall were able to forestall that precipitate and unwise action--for which all the people of the gorge should give you thanks! On May 23d of that year we received a wire from Governor McCall advising us that without our prompt action you and he would not have had time to stop that shipment.

Also, when Mr. Rizor and our county commissioners were ramming through his illegal subdivision in western Skamania county, I was one of the five plaintiffs who sought an injunction to stop this action. We were especially relieved to succeed in that suit, as we had put up our property as guarantee of bond --a decision not arrived at lightly!

Thank you for this opportunity to express my views.

Sincerely,

Larry Upson

U. L. (Larry) Upson

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Underwood, WA 98651

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Senator **Evans**. Thank you, and I appreciate the additional material you have submitted, also, and some additional detail which will be very helpful to us.

Mr. **Upson**. I have practically a book.

Senator **Evans**. Well, I do agree with you and I think it's very useful for you to say that any Federal management plan or, for that matter, anything written at any level of government which people think could be horrible doesn't have to be. It depends an awful lot on how carefully it's written. The horror stories sometimes occur. You mentioned Mr. Cushman and he's got quite a national reputation for scaring people. And——

Mr. **Upson**. Unfortunately, it took, though.

Senator **Evans**. Pardon?

Mr. **Upson**. Unfortunately, it worked, I say.

Senator **Evans**. And not always true stories, either. But the important thing I think is whatever kind of legislation we write, whether it's at the Federal level or written even at the local level, can be effective, can be concise, can be directed at the problem, and doesn't have to be the kind that would lead to horror stories.

Mr. **Upson**. That's what my faith has been.

Senator **Evans**. All right. Thank you very much.

Next, Eldon Hepburn, Lois Jemtegaard, Elizabeth Warmen, and Louise Weidlich.

Eldon Hepburn, go ahead, sir.

STATEMENT OF ELDON E. HEPBURN, CORBETT, OR

Mr. **Hepburn**. Senator Dan Evans and members of the Columbia River hearing Committee, my name is Eldon E. Hepburn. My wife and I have lived in the Columbia River Gorge for 47 years. We moved to the gorge in 1937 and have lived in it 12 months a year for almost 48 years.

In those years, the biggest changes have been made by fires, wind storms, ice storms, snowstorms and floods. Nature has done more to change the gorge than any other thing.

It is true that man has built dams to harness the river and generate power, and he has built the freeway and bridges to carry the transportation. But nature can wipe it all out in one sweep, as Mount Saint Helens has proved beyond a doubt.

You cannot legislate natural beauty. That is the work of a far more capable being than any we can send to Washington. You may please some people with a Federal control bill, but you would displease those who are now pleased. In other words, if it ain't broke, don't fix it.

The residents of the Columbia River Gorge live here because we like it. We see the beauty that strangers never see. We see the changes made by man and the changes made by nature. We see the other creatures of nature that share the gorge with us. The true beauty is in the eyes of the beholder and, for me, I can see beauty in man's work and I can see the masterworks of God. I'm not a deeply religious man, but I do seek the aid of a Supreme Being. I respect the feelings and desires of my neighbors, and I appreciate the fact that they do the same for me.

I feel that someone now is trying to change this way of life for me and my neighbors with the Federal control of our homes. Someone is attempting to change our lifestyle. Why? To protect the gorge from developers who want to develop it, I am told. That is not a valid reason because we already have control. We have zoning laws and land use laws and local elected officials to see that those laws are carried out.

We who live in the gorge on the Oregon side want to be governed by the same laws that govern the rest of the State, and the same for those people of Washington who live in the gorge want Washington laws to govern them. We do not want to be governed differently because of the place we choose to live. This is a part of America and we want it to be the same as any other part of America.

I'd like to thank the committee and Senator Dan Evans for the time they have spent in our behalf, and I hope this can be of some help in your decision.

Senator EVANS. Thank you, very much, Mr. Hepburn. Lois Jemtegaard.

STATEMENT OF LOIS JEMTEGAARD, WASHOUGAL, WA

Ms. JEMTEGAARD. Senator Dan Evans, I must say I like the lights from the dam in the gorge. I packed water for 10 years before we had power. So, I'm not against dams or power.

I'm Lois Jemtegaard and we are farmers. We, the people in the gorge, with God's help have made and kept the gorge beautiful; 75 years ago Marvin, my husband, was born and then reared on a homestead at Mt. Pleasant which is still in the family. It was a snag, fern, brush, blackberry, et cetera, infested area. It took people to clear the lands and plant the millions of trees that make it beautiful.

We pioneered our place which joins the homestead, and reared our family here and want to be able to leave it to our children. All our family helped to clear snags, stumps, brush, et cetera, from our 300-acre farm. We also planted thousands of trees, and planted and grafted some of the largest filberts in the world.

We also planted thousands of cedar trees for deer habitat on other people's lands, not our own. Marvin was 16 years old when he saw his first deer. He drove 16 miles and hiked 5 miles to see it.

There are many like us who want their own place and to be able to control their own land with the laws we have and make ourselves. Look at the gorge now and look at the pictures of old, the snage, et cetera. There's no comparison. Yet this is totally ignored.

The natural resource committee member mentioned Hells Canyon at a Hood River symposium. We asked the rancher that lived there how he felt about it. He said he liked this ranger fine and they got along. But, we pinned him down. We said how do you actually feel under this jurisdiction? He said just like a rattlesnake, right there.

One of the main points that does bother Marv and I is the people who are opposing us are almost all people not living in the gorge and not depending on the gorge for their living. These same people trying to take our land should read the U.S. Accounting Office report from the U.S. Attorney General's Office on land taken over by the Federal Government: Cuyahoga Valley, Glenwood, where my family are from and moved there in the middle 1800's, and there's many more. They would change their minds because of the unfair practices of the Federal Government.

Some of these same people have forced into law, without us even being aware of it, two Douglas-fir snags for every acre of forestland. That's because they do not know the history of this area and how devastating a fire can be when a full-fledged, 40-to-70-mile-per-hour, hot, dry, east wind on hot, humid days occurs. Douglas-fir snags can throw live sparks for miles. It destroys the reproduction of most of our animals in its path. If they used hardwoods, cedar, maple, et cetera, in canyon bottoms, not the top of ridges, as wildlife trees they would have been using common sense. But, these people do not understand the gorge.

People look at the gorge and say it's beautiful and that it must be saved. But, with Federal control they would destroy the gorge and the people living there. This is our history and heritage that is being desecrated, and to us our history and heritage are sacred. We are for local control.

I would like to mention I worked on the ad hoc zoning committee for 5 years, and I am now on the planning board for the last 2 years for Skamania County.

Thank you.

Senator Evans. Thank you, very much.

Louise Weidlich.

STATEMENT OF LOUISE WEIDLICH, DIRECTOR, NEIGHBORHOODS PROTECTIVE ASSOCIATION

Mrs. Weidlich. Senator Evans, I am Mrs. Louise Weidlich, director of the Neighborhoods Protective Association. Our group is from the Portland area and we formed ourselves in opposing urban removal, as we call it, or urban renewal; and actually it looks to me as if Federal control of the gorge is actually a form of urban renewal, which does away with private property rights.

One of the things that is our cornerstone, I'd like to quote the American's Creed:

> I believe it is my duty to my country to love it, to support its Constitution, to obey its laws, to respect its flag, and to defend it against all enemies.

I would say that some of the enemies of our country are those who do not believe in private property rights, because there are no human rights without private property rights because human rights become a grant of Government unless there are private property rights.

Under article IV of the Bill of Rights, the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures shall not be violated; and article V, no person shall be held to answer to a crime, and so forth; and, at the end, it says "nor be deprived of life, liberty or property without due process of law, nor shall private property be taken for public use without just compensation." That has been changing in our courts. Public use can mean highways and such things as that. But, when you get into scenic beauty, you're going beyond public use when you're designating lands just for their beauty.

We support State control of the Columbia River Gorge, and we feel that Federal control is reminiscent of the divine right of kings, as in England, the Federal Government versus States rights.

One of the things that is important here which has not been stressed, I feel, is the fact that water is the key issue—and control of the water. If the Federal Government has it, they could, in turn, divert the use of it to California, and Congress could decide that it is in the public good of the country that it would be more important for California to have that for their farming or their agriculture than for Oregon. We feel that the Columbia River, of course, should stay in the jurisdiction of the State in which the water is passing through, at least, and not be taken away from us.

I have here this National Inholders saying that 41,000 people face a $1 billion Federal takeover. The Federal Government is in trouble now trying to find ways to conserve on money. They're going into deficit and economics is becoming—they're printing money without any backing for it. We feel they should not be spending millions of dollars, buying up land, taking it out of private ownership.

Gertrude Glutsch Jensen was here earlier today and I quoted a couple of her most valuable words and gems of wisdom. She complains of outsiders, mostly Oregonians, who have decided that the real great temple that is the Columbia Gorge should be looked at but not lived in, and that there should be no homes and yards and children that play on the banks of the matchless river. Not so. She is unalterably opposed to Federal legislation and condemnation rights in the gorge in an eloquent essay published in the December 14 issue of the Oregonian. As you know, Gertrude Glutsch Jensen was chairman of the Columbia River Gorge Commission under four Governors and has been actively involved and interested in it.

The Friends of the Columbia River Gorge have been talking about saving the flowers and the wildlife and the trees, and everything, and yet they have requested a 250-room resort hotel to be called the Pacific Crest Inn to be located on Hamilton Island in the middle of the Columbia River Gorge. We feel that this is a contradiction. It depends on who's going to be in control of it. There has to be development. Land is for use, but it should be used wisely. Local people can make local decisions much better, and we can have some input into what is said, rather than back in Washington, DC.

Thank you, very much.

Senator EVANS. Thank you. My thanks to all three of you.

Next, Mary Phillips, Dale Reed, Brian Wolfe, and Kurt Wehbring, come forward. Mary Phillips, Dale Reed, Brian Wolfe, and Kurt Wehbring.

One more time, Mary Phillips, Dale Reed, Brian Wolfe, and Kurt Wehbring.

If there is anyone else in the room who has not signed up and wishes to testify, this is your opportunity. Please, come forward. State your name and any organizational affiliation you have.

STATEMENT OF SHERRY ATKINS, COLUMBIA GORGE UNITED

Ms. ATKINS. I'm Sherry Atkins. I don't belong—well, I'm deeply involved in Columbia Gorge United. I served for 4 years as a city council member over in Cascade Locks.

One thing I was really uncomfortable with with the bill is it mandates that local officials shall enforce the regulations that the committee comes up with. When you are elected by your constituents for their good, in my case for the good of the city, if I had been forced to enforce regulations that were contrary to the good of the city, that seems to me to be a violation of the principle of elected officials.

Also, too, you wanted input on other organizations that had worked. It seems to me the Mississippi Headwaters Board may have things in common with the area.

Senator EVANS. Do you know what area that's in? Is that up in Minnesota?

Ms. ATKINS. I'm not real well versed on it, but it's———

Senator EVANS. OK, but that is the title, "Mississippi Headwaters Board"?

Ms. ATKINS. Yes; and I can get more information on it.

Senator EVANS. All right. Thank you, very much. That's helpful.

Any other testimony? If not, all who are here get gold stars for patience for sitting through a very long, but very interesting and very useful hearing.

We want to remind everyone again that the record will remain open until November 23 for any additional material you may wish to contribute. Those who wish copies of the total record when it is put together can leave their names outside in the corridor. It will take several months before all of that is put together in final form, so don't be disturbed if it takes a little longer than the Book of the Month Club to get that through to you.

Again, my thanks to everyone. We heard 125 witnesses today, which, if it isn't a new record, it ought to be, Tony. We do appreciate it. It went better than I could have hoped.

We do want to again, on behalf of all of us here, thank the people of Stevenson. You've been very nice hosts and we've been very well taken care of. We appreciate it.

VOICE. You deserve a gold medal yourself. [Applause.]

Senator EVANS. Thank you.

[Whereupon, at 11:30 p.m., the hearing was adjourned.]

APPENDIX

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD*

Theodore E. Jung
9415 S.E. 13th St.,
Vancouver, Washington 98662
Phone 206-254-3394.

My name is Ted Jung and my wife Betty and I administer the Elizabeth Roane Jung Land Trust of which our four children are the sole beneficiaries. We are presently planning a small residential development at Skamania, Washington, to be known as Hidden Harbor.

After purchasing the property some years ago we began planning a modest project which will fill a need for recreation-oriented, well-landscaped homes on the Washington side of the Columbia River Gorge. In the course of planning, our engineers and environmental consultants have encountered some of the strictest and most comprehensive regulations to be found anywhere in America and have worked diligently to solve each and every problem.

Our project has been approved by the Skamania County Board of Commissioners after measuring up to the strict criteria of dozens of agencies and embracing considerations which range from shoreline management to sanitation and esthetic values.

We are now being challenged by a group called Friends of the Gorge who long since vowed openly to obstruct by legal harassment anyone who dares to build a home in this part of Washington State visible from the Oregon side of the Columbia river.

This is not the forum for debate of the Hidden Harbor issues, but we, the members of the Jung family, are already being characterized as environmental rapists, looters and plunderers who would despoil the lovely Gorge for a fast profit. We wish you to know, Senator Evans, that we are none of the above.

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*Due to the voluminous nature of the material submitted, not all could be accommodated in the printed record. However, all submissions have been retained in subcommittee files and will be used when considering this legislation.

We feel that people should be allowed to have nice homes in carefully planned settings in Skamania County and when our project is completed we plan to reside at Hidden Harbor and share in the wonders of this marvelous area.

No one who loves this country and who is willing to devote his resources to its livability should be subjected to the kind of treatment already accorded us by the Friends of the Gorge in the name of conservation.

Proposed federal legislation, in the hands of these fanatics, would destroy for all time the hopes and dreams of those who believe the Gorge should be lived in and enjoyed and not just looked at.

We see no need for federal control. The State of Washington and the County of Skamania already have strict and adequate laws to protect the environment.

Testimony of Nancy N. Russell November 12, 1984
Chairman, Friends of the Columbia Gorge

Public Lands and Reserved Water Senate Subcommittee
Senate Committee on Energy and Natural Resources
(Please include this testimony in the official record of the Nov. 8 hearing.)

Senator Evans and Committee Members:

Having had some time and opportunity to reflect on the recent hearing in Stevenson, Washington, there are several topics I would like to explore. The first is a response to your request for "fresh ideas." It is in answer to your question about the problem of funding for acquisition, which is certainly in many cases the fairest way to deal with the property rights issue. How, then, can we protect private lands in the critical areas without massive funding?

1. Land exchanges between the Forest Service and private landowners, or when possible between D.N.R. and the private landowner. For reasons of the revenue-producing requirements of D.N.R., the exchanges with D.N.R. would likely be "background" areas, not areas close to the river on the Gorge face.
2. Donations from those wishing to protect the Gorge, with covenants to protect the land from agency whims.
3. A program to encourage landowners to add covenants to their lands to preserve the rural environment. Tax incentives could be used here.
4. Forest Service acquisition of land, addition of a protective covenant, and re-sale of the land, thereby keeping it in private hands and on the tax rolls. This would reduce the cost of land management. Scenic farmlands would still be farmlands managed by farmers.
5. Purchase of land by the Trust for Public Land and the Nature Conservancy, avoiding costly delays and giving tax advantages to sellers.
6. Finally, Friends of the Columbia Gorge and other groups raising funds for particular purchases, such as was done recently in Oregon with Deschutes River property. As the person directly responsible for funding this public interest organization (FOCG), I have said very often how I would welcome the challange of

raising money for a positive effort like land acquisition. If there were a well managed National Scenic Area, the time now spent fighting could be put into financing the purchase of land.

A second topic of particular interest to me is the role of the federal government in American life and in the Gorge. I believe the federal government is the people and responds to the people's mandate.

Early in the century people saw the need to protect the waterfall area in Oregon, and the Forest Service responded to that by setting aside the Columbia Gorge Park District of the Mt. Hood National Forest. Timber was never cut in the Park District.

Later, in the 30's, as the population grew, society said we needed to have public works and cheap electric power, and the dams came into being. In the 50's, with a great surge of population, society saw the need for a modern highway through the Gorge, and the government responded with the present freeway.

During the previous decades, the Gorge has been pretty well protected. But now, with expanding population growth, the people are asking if the Columbia River Gorge should be urbanized. The people are saying it is fine to have communities grow, but the remaining open space of the Gorge should be retained in a fair and equitable manner.

As came out in your hearing, the people of the Gorge have been scared--scared of losing their jobs and losing their land. Jobs are not challenged by preserving open space; jobs are in the communities, with the possible exception of minimal logging employment. Public administrators have told me many times that sprawl does not pay its way. Costs of providing services outweigh tax contributions. The cost of sprawl is underwritten by all the taxpayers.

A final point: You asked how much development had actually occured--if, indeed, a crisis does exist. Before the effect of development occurs in patches of rural housing, it is important to deal with all those paper plattings that over time will be manifested in houses and suburban amenities.* I recall a response by John Yeon several years ago to the development question during a TV interview. He said, "Most people cannot visualize an effect before it happens". John is a visionary and his vision is there to see in his 1937 Gorge report. The trend is clear, and now is the time for action. It will never be any easier.

Thank you. Nancy N. Russell

* See attached Skamania County West End Land Use and Parcelization Patterns

SKAMANIA COUNTY WEST END
LAND USE AND PARCELIZATION PATTERNS

Gorge Commission Staff Report
February 2, 1983

I. Introduction

As the debate continues over the need for stronger protection of the scenic and natural values of the Columbia Gorge, reference to land use trends, especially in Western Skamania County, has intensified and increased. Those seeking stronger regional management have often stated that Western Skamania County is rapidly being platted into smaller lots, and an increase in residential construction will result from the recent completion of the I-205 bridge. Those opposed to stronger regional management, supporting instead local governmental control, have argued that topography, climate, access, septic tank limitations and uncertain water supplies will prevent intensive development of the area. As one local elected official has said, "God has zoned the Gorge."

Many of these observations, however, are unsubstantiated. Others are based on inconclusive, and possibly erroneous, information. The Gorge Commission staff has prepared this report in order to provide a more factual basis for interpreting land use trends in the study area.

This report is based on an indepth review of Skamania County's platting and assessor's records and on data obtained from the 1977 County Comprehensive Plan, the 1981 Gorge Study prepared by Jones and Jones, the 1980 National Park Service Study of the Gorge, several other studies and discussions with the county planning staff and assessor's office staff.

II. The Study Area

The study area is bounded on the west by the Skamania/Clark county line; on the north by the statutory Gorge boundary (R.C.W. 43.97) and the north boundary of Section 26, Township 2 North, Range 6 East; on the east by the east boundary of Sections 26 and 35, Township 2 North, Range 6 East; and on the south by the Columbia River. The study area contains approximately 10,504 acres, or 16.4 square miles.

III. Natural Features

Topography (See Slope Map, Exhibit 1)

In the western portion of the study area from the Skamania/Clark county line to Cape Horn, steep slopes and cliffs rise sharply from the river's edge to an elevation of 650 to 800 feet. At this elevation, the slopes become more moderate, continuing to rise to the north at 0-15 per cent and reaching an average elevation at the area's north boundary of over 1,000 feet, and a maximum of over 1,400 feet at the summit of Mt. Zion.

East of Cape Horn, slopes rise to the north from the river in three distinct drainage basins. Proceeding from west to east, the first basin is bounded by Cape Horn on the west and 1,700 foot Prindle Mountain on the east. The second basin is bounded by Prindle Mountain on the west and by Archer Mountain, elevation 2,012 feet, on the east. The third, and by far largest, basin is bounded by Archer Mountain on the west and by Hamilton Mountain, elevation 2,445 feet, on the east.

Unlike the western portion of the study area where slopes rise steeply from the river's immediate edge, slopes in each of the three drainage basins rise moderately in amphitheater-style until reaching the steep slopes, cliffs and ridgelines which mark the basins' northern limits. This distance may range from one-half to over three and a half miles.

Vegetative Cover

The predominate vegetative cover of the study area is mixed deciduous/confier forest. Notable exceptions, however, are:

1. The grassy pasturelands in the Mt. Pleasant/Mt. Zion area, and at the foot of Cape Horn.

2. The cottonwood/alder riparian vegetation along the river in Sections 1 and 12, Township 1 North, Range 5 East; Sections 3, 4, and 5, Township 1 North, Range 6 East; and Sections 34 and 35, Township 2 North, Range 6 East.

IV. Land Use

The predominate land use within the study area at this time appears to be forestland/open space. This is not intended to imply, however, that the majority of lands are actively being managed as commercial timberland, for they are not. As previously noted, most forestland within the study area is a mixture of deciduous and conifer species, predominately deciduous. Such stands are normally of low commercial value and no significant effort has been made to convert these lands to more valuable uniform conifer stands.

The finding that forestland/openspace is the predominate land use is based on the observation that forest is the predominate land cover and that over 75 per cent of the study area is composed of parcels over 20 acres in size, a majority of which are unoccupied. Industrial forest landowners, including the State Department of Natural Resources (DNR) currently hold only about 1,200 acres, or about 11 per cent, of the study area.

Following forestland/open space, the major land use is rural residential development. Over 23 per cent of the study area has been divided into parcels 20 acres or smaller. Over one-third of these parcels are occupied by dwelling structures. The third major land use within the study area is dry pasture and hayland. Approximately 900 acres is in such use, primarily in the Mt. Pleasant and Cape Horn areas, according to the Soil Conservation Service.

V. Parcelization

Exhibits 2 through 7 summarize the pacelization and ownership information for the study area. In general, the information shows that:

A. 111 parcels over 20 acres in size occupy 76.6 per cent of the study area or 8,048 acres.

B. 529 parcels 20 acres or less in size occupy 23.4 per cent of the study area or 2,456 acres.

C. 245 parcels have improvements (dwelling structures).

D. 87.1 per cent of the study area or 9,145 of 10,504 acres are privately held.

The value of this infomation in understanding the implications of parcelization is limited, however, unless platting practices and the distribution of various parcel sizes throughout the study area are considered.

Rather than encouraging compact, clustered and efficient residential land division, Skamania County's platting ordinances, like those of many other Washington counties, have actually encouraged widely dispersed rural land divisions that create relatively large residential lots. This situation results for several reasons. First, large rural acreages are likely to be less expensive and more available than comparable parcels in or around existing communities or towns. Second, development standards are generally less stringent and, therefore, less costly to the developer on large lot rural land divisions than on medium and high density developments. This is certainly true in Skamania County where land divisions creating lots two acres or more do not require the developer to install water or sewage disposal systems.

The economic advantages to the developer for large lot rural land divisions have in the past been further complemented by the practice of short platting or, more simply, dividing a parcel into four or fewer lots. Prior to 1974, there were essentially no development requirements for such land divisions. Between 1974 and 1980, the county short plat ordinance provided only minimal standards for such land divisions and then applied only when the smallest lot created was less than ten acres. Today, although short plats must be fully surveyed and have developed access to county standards, a developer is still able to avoid the public hearing process and engineering requirements by short platting.

By reviewing the county platting records and assessor plat maps, it is clear that the impact of the platting practices discussed above have been felt in the study area. Only 39 recorded plats, four long and 35 short, are filed for lands in the study area. When adjusted to allow comparison with current records, these plats accounted for only about 35 per cent of the existing parcels. Since nearly 98 per cent of these platted lots were less than ten acres, it is apparent that nearly all lots ten acres or greater were created without being platted.

The Exhibit 8 map shows the current parcelization status of the study area using six lot size categories. There are five major areas where substantial amounts of land have been platted in lots 20 acres or less in size.

Working from west to east, the first of these areas is found in the Cape Horn/ Mt. Zion area. Lands in the NW¼ of Section 16 and the SW¼ of Section 9, Township 1 North, Range 5 East have been largely divided into lots from five to 15 acres in size. Only 18 per cent of the parcels in Section 9 and five per cent of the parcels in Section 16 have dwellings on them.

The second area of significant parcilization is the community of Prindle in Section 11, Township 1 North, Range 5 East. Here nearly 60 per cent of the land is divided into lots 20 acres or smaller. Unlike the Cape Horn/Mt. Zion area, Prindle is an established community with over 47 per cent of its parcels occupied by dwellings.

Continuing east, the third area of parcelization lies along Smith-Cripe and Sneider-Barks roads in the W½ of Section 6, Township 1 North, Range 6 East and the SW¼ of Section 31, Township 2 North, Range 6 East. Although these lands are designated by the Skamania County Comprehensive Plan as having severe limitations for septic tanks and road construction and as having slopes generally in excess of 15 per cent, they have been extensively divided into parcels less than ten acres in size. Further more, nearly 30 per cent of these parcels have dwelling structures. In view of the substantial diversity in lot sizes (five to 20 acres) within this general area, further division of larger parcels should probably be anticipated.

The fourth area of significant parcelization generally encompasses those lands east of Archer Mountain, west of Duncan Creek and north of SR-14. This area of approximately 1400 acres contains the greatest mixing of parcel sizes within the study area. Parcels 20 to 40 acres in size are widely dispersed with parcels ten to 20 acres, five to ten acres, and two to five acres in size. The average parcel size is about 15 acres and parcels less than 20 acres in size occupy nearly 42 per cent of the area. Overall, 34 of the 90 parcels have dwilling stuctures. In view of the wide parcel size mixing, some future in-filling will probably occur through the further division of parcels between 20 and 40 acres in size.

The final major area of parcelization is the community of Skamania, more specifically section 34 and the S½ of section 27, Township 2 North, Range 6 East. Like Prindle, parcels are generally small, averaging 3.7 acreas in section 34, for example. Further, nearly 46 per cent of the parcels have dwellings. Future development in the community will likely take place through further division of larger parcels within sections 27 and 34.

Beyond these five areas of major parcelization, several other observations should be made. First, there is a tendency for small lots(two to five acres) along SR-14, especially west and east of Prindle and east of Skamania. These could result in residential strips along the highway if fully developed.

Finally, most areas currently occupied by parcels 40 acres and larger appear to be protected from further division for a variety of reasons including topography, access and public ownership. There are several important exceptions, however, where large parcels are physically suitable for development but are currently being retained in an undivided state, presumably due to the desires of the owners. These include the dry pasture and hayland in the Mt. Pleasant area and at the foot of Cape Horn, the Franz and Arthur Lakes area, the pastureland west and east of Skamania Landing and south of SR-14, and the moderately sloped areas of Sections 1 and 2, Township 1 North, Range 5 East.

VI. Summary

Substantial land division has occurred primarily in five general areas within the study boundary. These areas are:

A. Cape Horn/Mt. Zion
B. Prindle
C. Smith Cripe/Sneider-Barks Road (Sasquatch Creek drainage)
D. Duncan Creek/Archer Mountain Road (East of Archer Mountain, West of Duncan Creek)
E. Skamania/Beacon Rock

These areas include much of the moderate sloping lands within the study boundary.

Encouraged by lax land use and platting controls, land divisions have occurred in a leapfrog, haphazard manner, affecting nearly one-third of the land within the study boundary. As a result, a patch work pattern of parcel sizes exist over relatively large areas of land.

Areas remaining in large acreage parcels are, to some extent, protected from extensive land divisions by topography, access and public ownership. However, 25-30 per cent of the land in larger than 40 acre parcels appears to have no substantial physical limitations for development beyond those found in areas undergoing substantial division.

Without a change in land use and platting regulations, it is likely that land divisions creating lots from five to 20 acres in size will continue over areas of moderate slope. The ultimate lot sizes in moderate slope areas will probably be determined by localized topography and limitations for water and sewage disposal systems.

TOWNSHIP/RANGE/SECTION: ALL SECTIONS[A]

STRATIFICATION OF PARCELS BY SIZE

SIZE	PARCELS	IMPROVEMENTS (% Of Parcels)		ACRES	% OF TOTAL SECTION ACRES
0.00 to 2.00	217	106	(49)	132.08	1.3
2.01 to 5.00	131	35	(27)	442.52	4.2
5.01 to 10.00	97	38	(39)	775.88	7.4
10.01 to 20.00	84	26	(31)	1,105.74	10.5
20.01 to 40.00	57	19	(33)	1,976.88	18.8
40.01 and up	54	21	(40)	6,071.24	57.8
TOTAL	640	245	(38)	10,504.34	100.0

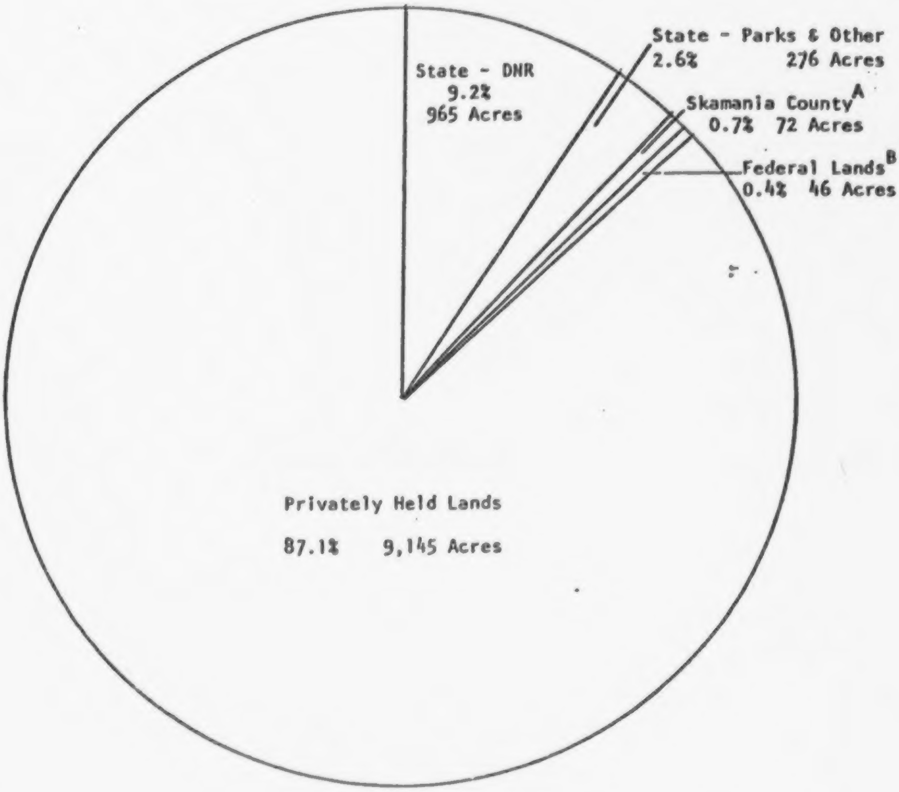
NOTES: A. All sections within the statutory Gorge boundary between the Skamania/Clark county line and Beacon Rock. (See study area map.)

-EXHIBIT 2-

-*EXHIBIT 3*-

LAND OWNERSHIP

(100% = 10,504 acres)



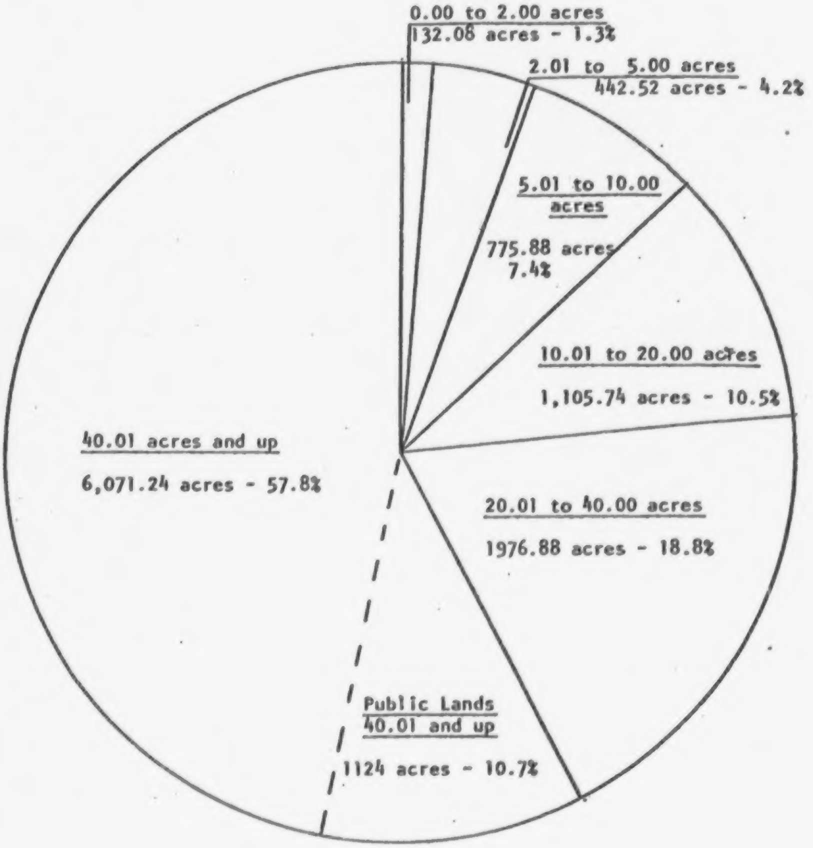
A. Skamania County includes the county as well as school districts, fire districts and the PUD.

B. Federal lands include BPA and Corps of Engineers.

-EXHIBIT 4-

ACRES BY SIZE CATEGORY

(100% = 10,504 acres)



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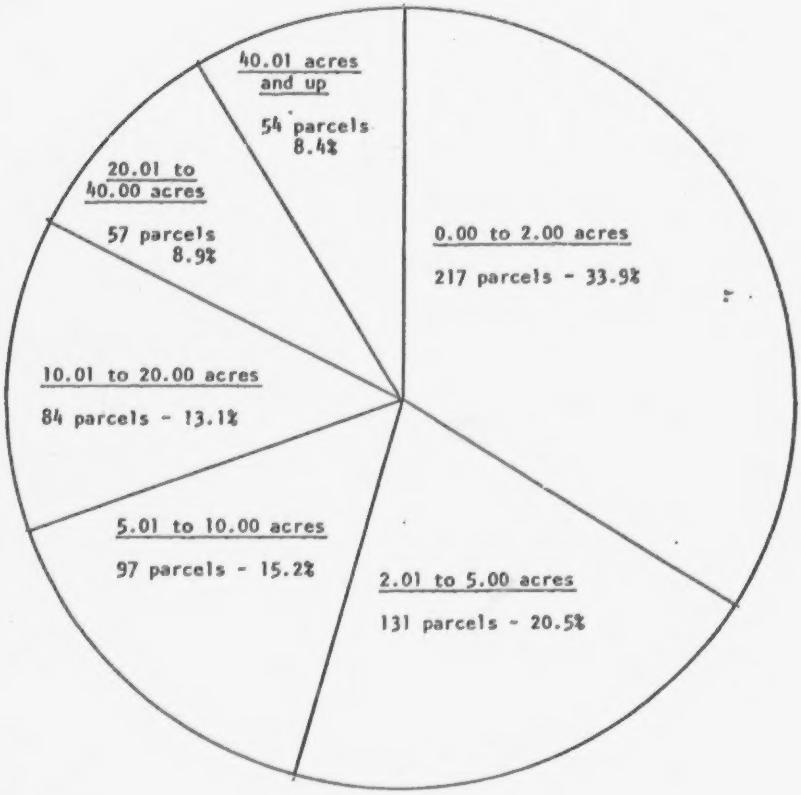
NUMBER OF PARCELS BY SIZE CATEGORY

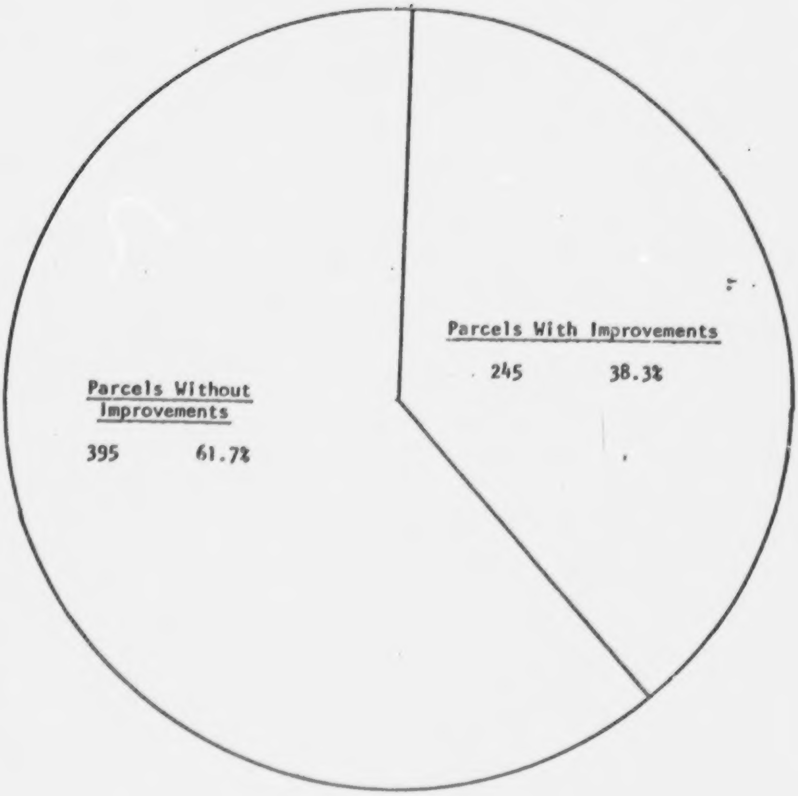
(100% = 640 parcels)



-EXHIBIT 6-

PARCELS DEVELOPED

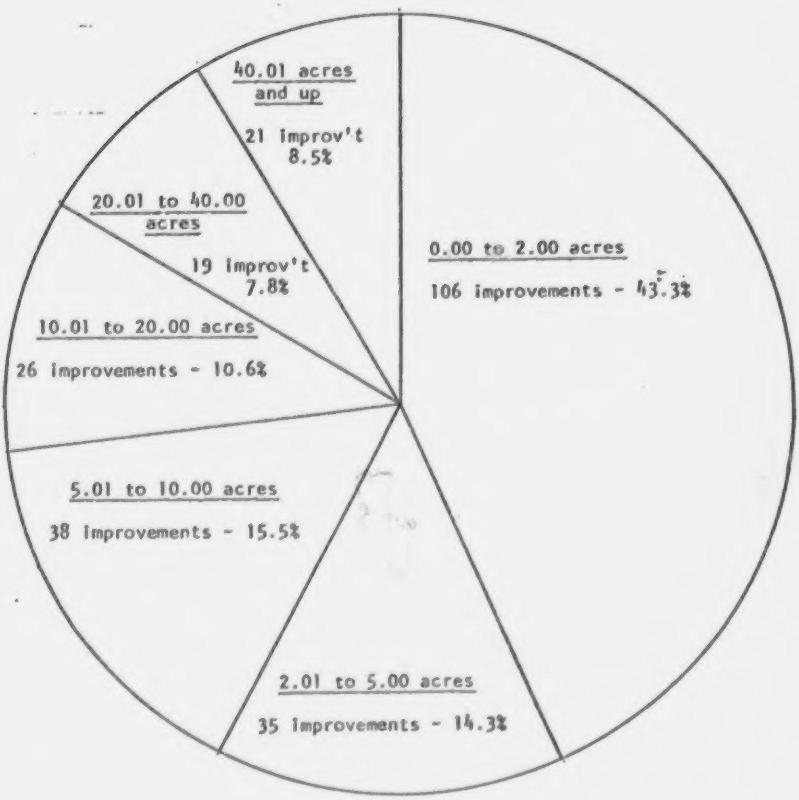
(100% = 640 parcels)



-EXHIBIT 7-

IMPROVEMENTS BY SIZE CATEGORY

(100% = 245 improvements)



Senator Evans:

The HARRY R. TRUMAN SOCIETY would like to make the following points---

(1) Should a National Scenic Area be established in the Columbia Gorge, giving any ruling body the right to condemn land, regulate private property, build up destination centers and tourist facilities, override decisions made by local and state governmental agencies, and in general give, take, build up, and tear down at its own discretion, the rural culture, pioneer ethic, and spirit of the Gorge area will be destroyed. The Gorge people are among the few left in this country who still exhibit the independence of the original pioneers. Perhaps this is because many of them are still living on homesteads their own families founded.

(2) The elitists who want control of the Gorge are only pretending to be ecologically minded. They are more interested in building up a million-dollar industry and filling their own purses than in preserving anything. The Gorge is not a pristine area. The Dalles Dam destroyed Celilo Falls, and ancient hieroglyphics had to be removed from the canyon walls. A whole town was relocated, not to mention the destruction of wildlife habitat, when Bonneville Dam was recently expanded by the Federal government. Let's not forget the dredging up of Columbia River bottom, land fills, dynamited cliffs in the building of Oregon's I-84 freeway. That area was built by man, not nature. Should we trust these "preservation" efforts by the wealthy, prestigious, powerful elite, which only result in making that same elite more wealthy, prestigious, and powerful--at the expense of those people they are pretending to "save"?

(3) Urban sprawl will NEVER take the Gorge. Houses have come and houses have gone as a result of wind, rain, mud and rockslides, and Mother Nature in general. Also, the two-lane roads are not conducive to commuter travel on the Washington side of the river. Fewer people live here now than when Lewis and Clark first came to the Gorge. Many people travel this lowest pass through the Cascades, but few have stayed.

(4) It has been said the "new" tourist industry would be a boost to our economy. After 35 years in the Gorge, I have yet to see any Federal governmental agency which draws even 25% of its employees from the local people. The janitorial and other menial jobs resulting from the tourist "boost" will not support families. The economic boost will not benefit Gorge residents.

(5) Last, but not least, there is more here to take and conquer than land. People who have their roots into a piece of property as far back as the mid-1800's and before value their land in a priceless fashion. To some the land is life itself. They would die rather than give it up. There are many commoners here who feel the paper fight is lost. They are making plans for a different kind of fight. Those in the know should be aware of the overall revolution that is occurring in this country. It has been happening in the Church for several years. It is now happening in the schools. It is beginning to happen in the Government. I only hope that in this revolution, the "shot heard 'round the world" does not have to come from the Gorge.

"WE SHALL NOT BE MOVED"

Barbara J. Schwab

Barbara Schwab, Chairman

THE WILDERNESS SOCIETY

FOUNDED IN 1935

STATEMENT BY JEAN DURNING, REGIONAL DIRECTOR, THE WILDERNESS SOCIETY, ON COLUMBIA GORGE NATIONAL SCENIC AREA LEGISLATION, FOR THE RECORD OF THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE HEARING, STEVENSON, WASHINGTON, NOVEMBER 8, 1984.

The Wilderness Society supports strong protection for the scenic and botanic wonders of the Columbia River Gorge. We urge the Senate to enact comprehensive legislation which gives the federal government a major responsibility for coordinating federal, state and local efforts to preserve key natural features of the Gorge. In our judgment, the National Park Service is the federal agency most capable of carrying out this responsibility.

During the past Congress we supported, as one acceptable compromise, Senator Parkwood's bill, S. 627, if it were strengthened by certain amendments. Much work went into development of that compromise proposal. However, S. 627 is not the only possible approach, and we commend Senator Evans for his efforts to take a fresh look at ways of meeting the need for protection in the Gorge.

There are several elements that The Wilderness Society feels are crucial to protection of the scenic Columbia River Gorge. First, there must be a strong final authority to decide on plans for how to best manage and protect the Gorge. We believe the need for such decisive authority necessitates a major federal responsibility. We prefer the federal agency most oriented to scenic and natural resource preservation for this role, i.e. the National Park Service.

The Park Service's excellent 1980 study of alternatives for protection of the Columbia Gorge suggests several different approaches, but conditions have

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changed enough that some of the NPS recommendations are outdated. For example, we do not favor dividing the Gorge into a Park Service half and a local commission half, because the entire Gorge should be managed in a consistent fashion. We do endorse a strong advisory role for local and state governments, such as exemplified by the advisory commission contained in the Packwood bill. It might be acceptable to have more direct Park Service authority in the western part of the Gorge and more delegation of that authority in less threatened areas, but there must be one final voice that deals with the entire Gorge.

If the Park Service is given the lead agency role, the guidelines for management direction in this legislation will need to be only as specific as in normal land protection legislation, including restrictions on logging as needed to protect fish and wildlife, no more filling of wetlands, and withdrawal from mineral claims. More specificity will be needed if the Forest Service is to be the management authority, since normal Forest Service orientation is not primarily toward natural resource and scenic preservation.

We are concerned that management by a state/local commission would not be effective unless there are extremely specific guidelines for protection of the Gorge. It is highly unlikely that Congress would spell out the kind of detail necessary in legislation directing action by state and local agencies.

The protected area should be mapped and specified in the legislation. It should run from Stonehenge and Maryhill downriver to Cottonwood Beach and Steigerwald Lake in Washington State and to the Sandy River on the Oregon side. It should include the entire viewshed and the tributary canyons. Previous maps should be expanded up Catherine and Major Creeks in Klickitat County. Those tributary rivers now designated state scenic waterways or running through national forests should be designated Wild and Scenic Rivers. The Washougal, the White Salmon, the Klickitat, the Hood, and segments of the other rivers should be studied for Wild and Scenic designation. Existing incorporated towns should be put under only such restrictions as absolutely necessary to limit pollution or major visual or aesthetic degradation.

Authority should be included for acquisition of both scenic easements and fee title, with condemnation to be used only as a last resort or to establish the sales price. Safeguards for landowners, such as those in S. 627, should allow for continued ownership of all existing farms and residences. Providing clear acquisition authority is the only fair way to deal with private property owners. Where the national interest calls for protecting an area from incompatible development, it is only fair that the landowner be compensated for the loss of his rights to develop.

Until a management plan is completed, a temporary moratorium on development in the Gorge is appropriate. Such a moratorium would force the government agencies involved to adhere to deadlines set for finishing the management plan.

Pressures for development in the Columbia Gorge are intensifying every day. The need for protective legislation is urgent.

We urge the Committee to enact legislation by the end of 1985 that will effectively protect the natural values of the Columbia River Gorge.

NATIONAL INHOLDERS ASSOCIATION

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REGIONAL REPRESENTATIVES

[illegible]

Testimony of the National Inholder Association
Before The Honorable Dan Evans
Public Lands and Reserved Waters Subcommittee
United States Senate
Field Hearing Stevenson, Washington
November 8, 1984

We would like to thank the committee for this opportunity to submit testimony on behalf of the National Inholders Association (NIA). The National Inholders Association represents families and individuals who own land or equity interest in land within or adjacent to the boundaries of federally managed areas. We actively seek to protect the rights of families and communities from unwise and unnecessary acquisition and over-regulation that has tragically led to the destruction of small communities and rural lifestyles.

NIA believes that inholders have the right to the full use and quiet enjoyment of their land consistent with the intent of Congress in its creation of a federal area. NIA insists that specific provisions and protections for private land be considered in the creation and management of an area. NIA believes inholders can coexist with federal areas to the benefit of those areas, and opposes the institutionalization of an absolutist, no-use philosophy toward the Federal lands, which views human presence as an "incompatible encroachment on the resource".

NIA is not opposed to the creation of Federal park and recreation areas per se. NIA is opposed to the elimination of people. NIA believes people and their culture are as much a national resource and treasure as wildlife and vegetation.

NIA supports the establishment of Federal park and recreation areas, provided:

* the designation is based on an intelligent and comprehensive inventory of resources substantiating that the area is truly of national significance;

* there is a demonstrated threat to the area absent a federal designation;

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National Inholders Association: A public-interest nonprofit association that protects the rights of Americans on lands owned or regulated by government
National Parks • National Forests • Fish & Wildlife • Bureau of Land Management
Corps of Engineers • Bureau of Reclamation

* there exists no state or local government alternative to federal involvement;

* the designation takes into consideration the culture and heritage of the people who live in the area, and contains specific provisions for their protection;

* private conservation efforts through tax incentives and other forms of cooperation and self-regulation are recognized and encouraged, and not sublimated to a wasteful government condemnation and purchase of private land;

* the designation is for resource protection, and not for ego political purposes, as an excuse to spend federal monies, or for private financial gain. NIA has always opposed the creation of "ego political" or "pork barrel" parks.

The above have been lacking in all previous legislative proposals for the Columbia Gorge. Rather than focus on the negative aspect of previous legislation (see appendix I, for testimony of NIA per previous proposals) let us briefly consider alternative approaches but first let us say that the NIA is not convinced that there is truly a threat to the resource of the area. We have included for the record a list of state and county land use regulations as applicble to Skaminia County, Washington (example impacted counties, appendix II). We further note that polls of populace within the proposed area and in adjacent communities and metro areas oppose federal management of the Gorge (see appendix III). Finally, we would like to point out that numerous local governments and community organizations have passed resolutions opposing federal management of the Gorge area. The Washington State Legislature passed a similar resolution opposing federal management (partial list included appendix IV).

NIA has long supported cooperative effort as a tool for resource protection and would like to cite a successful example that we believe parallels closely with the Columbia Gorge and must be considered as an alternative approach to federal management. We have included for the record several documents for background material and committee consideration, these include: Mississippi Headwaters Board Annual Report, July 81-December 82; A Management Plan for the Upper Mississippi; Testimony Charles S. Cushman, Executive Director National Inholders Association, Field Hearing Senate Governmental Affairs Subcommittee, The Upper Mississippi Headwaters Board-June 1, 1982. We will highlight the advantages of an interlocal (joint powers board) planning effort as was utilized in the Upper Mississippi:

* COST

By adoption of strong local zoning ordinances, sound management of existing state and county lands, judicious purchases of land or scenic easements from willing sellers and more use of existing opportunities for land exchanges, we believe a joint powers plan could better protect the river at a lesser cost. In addition, to buy the easements necessary to protect all the shoreline in the segment proposed for the designation would be enormously costly and would entail the use of condemnation authority.

* RESPONSIVENESS

Because the plan is prepared by and for the joint powers board, it uniquely strikes the balance needed to respond to local concerns while accounting for the broader public concern. In addition, necessary changes can be made to respond to changing circumstances that will occur over time.

* PUBLIC SUPPORT

Due to the involvement of all of the various interests in the development of the plan, the Upper Mississippi project generated considerable local and extra-local support.

* PROTECTION

While the essential goal of the Upper Mississippi Headwaters Board was to prepare and implement a comprehensive, interlocal plan to protect the upper 400 miles of the Mississippi River. The plan provided for facilities and opportunities for diverse recreational uses of the river and its adjacent lands, it did not carry with it the negative impact of increased use that is associated with federal management. The 1977 U.S. Bureau of Outdoor Recreation report on the Upper Mississippi stated that a ten-fold increase in use could be expected (federal designation). We believe this to be contrary to sound river protection. The increased use could, if realized, pose a significant problem to riparian owners and the quality of the resource itself. Flowing Free, an authoritative book on local and regional river programs, included these comments: "On the plus side, local or regional programs, escaping the publicity that attends federal or state scenic status, are less likely to result in large increases in recreational use."

* COOPERATION

Cooperation is useful in broading the geographcal base for planning and administering government services and controls; tends to enlarge the scale of and administration of local services making lower unit costs possible; is helpful in guiding growth of an area.

The cooperative effort protects the political identity of the community. Most persons are extremely proud and protective of their independent political existence. Although a municipality may lose partial control over the administration of the function in the process of cooperation, it does not give up its political identity.

Without a doubt, the Upper Mississippi is an outstanding example of non federal preservation. Congress, whenever it mandates a study for an area to be considered for federal protection, should also foster and perhaps help pay for a seperate alternative study encouraging local interests to participate, as happened on the Mississippi (see statement Charles S. Cushman, Senate Public Lands and Reserved Waters hearing on Federal Land Acquiation Practices 1982, appendix V).

We suggest that should federal legislation be further considered that Members of the committee review the Upper Mississippi legislative history, plan development and success and its parallel to the Columbia Gorge and seek to use it as a model for Gorge protection.

Thank you.

Appendix material retained in subcommittee files.

THE GARDEN CLUB OF AMERICA
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PRESIDENT
MRS. NIELS W. JOHNSEN

NATIONAL AFFAIRS AND LEGISLATION COMMITTEE
CHAIRMAN
MRS. MICHAEL A. McINTOSH
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PALM BEACH, FL 33480

Nov. 8, 1984

Senator Daniel Evans and the Committee on Energy & Natural Resources
Public Lands Subcommittee

Senator Evans and Gentlemen of the Committee,

I am here to testify on behalf of the Garden Club of America, the Seattle Garden Club, and for myself as a concerned Washingtonian.

The Garden Club of America has been concerned with protection in the Gorge even before the National Park Service Study that earmarked the area "of national significance and a natural resource to be protected." G.C.A. member clubs in the Northwest, Portland, Tacoma and Seattle, have watched population growth and uncontrolled development, the I 205 bridge crossing and subsequent rural land opening up to subdivisions, trailer courts and industrial parks. Three and ½ years ago we presented our concerns as a Zone XII proposal and the Garden Club of America as a national organization endorsed the legislation proposed by the Friends of the Columbia River Gorge and introduced by Senators Hatfield and Packwood of the Oregon Delegation. We endorsed that particular legislation because it provides the strongest single comprehensive management plan for the Gorge.

We are highly concerned about the state of the natural resources in this unique landscape: the rare and endangered species of plants; the Columbia shoreline and wetlands that support wildlife, provides habitat and essential water storage and purification; the tributaries of the Columbia; the historic and geologic features of the Gorge Canyon, which are outstanding attractions for the State of Washington and real treasures for our country. If tourists come from around the world to see the dead gray landscape of Mt. St. Helen's National Monument, they only need to travel a few more miles south to experience the beauty and grandeur of this green and living monument

Our Zone XII garden clubs have held meetings here in the Gorge for members from all across the country, for the G.C.A. National Affairs & Legislation Committee specifically, and for the entire G.C.A. National Board. These meetings and excursions into the Gorge reinforce our committment to support the National Scenic Area designation and we will be active in that support nationally.

Over the years the Garden Club of America has testified for Wilderness Areas, supported National Park acquisitions, the California Redwoods, The Alaska Lands Bill, both the Clean Air and Clean Water Acts and reauthorizations, the Endangered Species Act, and Barrier Islands legislation. We follow the advice of the late, great environmentalist Rene Du Bois to "Think globally and act locally."

Thank you.

Mrs. Lyman W. Hull
Zone XII Conservation and Water Project Chairman
Member Seattle Garden Club

60%

August and Nelta Paasch
Rural Landowner

M. P. 0.18 R. Erickson Road
Stevenson, WA 98648

T E S T I M O N Y

AUGUST AND NELTA PAASCH

Before

THE SENATE ENERGY AND NATURAL RESOURCES
SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER

The Honorable Senator Daniel Evans and Distinguished
Members of this Committee

Thank you for the opportunity to testify. We are August and Nelta Paasch of Skamania County, Washington. We have resided and owned property in Skamania County, Washington for forty years.

We have seen many changes for the better and a few small but not major detrimental changes in that time.

Skamania County has been the target area for this "land grab", prime reason being that our zoning ordinance, as yet, is not in place. Each of us in our community has had an input on the project. I realize that no zoning ordinance is perfect. Oregon has good land-use laws but they have problems. A big one in Wasco County.

The majestic beauty of the Gorge is the same now as in the days of Lewis and Clark but the landscape is far more beautiful now because of the people living and working in the area. To keep it beautiful you need the "people" working with their hands, hearts and souls.

Remember the "Dust Bowl" of Oklahoma? That area was not saved by Federal ownership. The "people" were the catalist that made possible the restoration of the soil. True, Federal, State and County agencies helped on the project, but the land was not taken from the property owner. We still have those agencies in existence. The "grass-root" approach is still the best.

We have been and always will be against any Congressional legislation of any kind; including a Bi-State Compact such as the Governor's bill.

The track record of Federal agencies carrying out the "intent of Congress" is very poor.

Cuyahoga Valley in Ohio is dangled before our noses by Senator Packwood as the shinning example for beautification of the Columbia River Gorge. The Committee should read the bill. Note the intent of Congress. See the documentary film, "For the Good of All" and see the destruction.

You heard testimony from the Lake Chilan area, the North Cascade and also from a gentleman with a relative in Cuyahoga Valley, Ohio. Closer to the Columbia River Gorge, about twenty-five miles north and east of White Salmon, Washington, we have the Conboy Lake Game Refuge. The same thing happened. All the farmers were served with condemnation papers. Now, geese no longer stop for rest and feed during migration: no farmers, no food, only 5000 acres of weeds!

The proposed large-housing developments that are causing such a "hulabaloo" in the Halls of Congress are not coming from local residents, but by out-of-county and out-of-state property owners. We, the people, in Skamania are being blamed but we are not guilty.

It is time for all of you Congressional people to take a long, hard look at what the environmentalists are doing to our country and start resisting the pressures.

Our country was founded on Freedom and Equality for all, let's keep it that way. We need a "tea party"!

Thank you,

August M. Paasch
Nelta A. Paasch

Nelta and August Paasch
M. P. 0.18 R. Erickson Road
Stevenson, Washington 98648

Nelta Paasch
Rural Landowner

M.P. 0.18R Erickson Road
Stevenson, Washington 98648

TESTIMONY

NELTA PAASCH

Before

UNITED STATES SENATE
SUB-COMMITTEE ON PUBLIC LANDS AND RESERVED WATER

and

HOUSE OF REPRESENTATIVES
SUB-COMMITTEE ON FORESTS, FAMILY FARMS AND ENERGY

HONORABLE MARK O. HATFIELD
CHAIRMAN

Bonneville Power Bldg.
Portland, Oregon

Friday, March 25, 1983

The Honorable Senator Hatfield and Distinguished Members of This Committee,

Thank you for the opportunity to testify. I am Nelta Paasch of Skamania County, Washington. I am testifying for myself and my husband August. We are land owners and tax payers since 1945.

We are opposed to the Columbia River Gorge Act of 1983, Senate Bill 627, for the following reasons.

Senate Bill 627 Section 1 (b) Purpose; To protect and preserve the fragile and sensitive lands of the gorge. Section 2 (a), paragraph 3 seeks to promote tourism on a world wide basis. Tourism requires extensive housing accomodations and recreation programs. The delicate and sensitive land cannot stand that type of traffic.

Section 2 (a) Findings; Paragraph 7 says quote, "The existing character of the landscape of the Columbia River Gorge has been maintained and enhanced by existing rural communities which should be protected and maintained." Yet in Section 3 (a) Establishment of Area paragraph 3, these rural communities are not mentioned and are not given room for growth.

Section 3 (a) Establishment of the Area; Paragraph (b), The map of the area designated in proposed legislation shows six counties. Five of those counties have a small portion of the said county included in the area. The sixth county, Skamania County, Washington has the entire populated area within the legislative boundries. Skamania County contributes more acreage in the area than the combined total of the other counties. Skamania County is the target area and the environmentalists will pressure for land acquisition in that area. The allowable 10 per centum acquired by condemnation, Section 12 paragraph (c), will take most of the privately owned land. Skamania County is 80 percent in the Forest Service, 12 percent is in Federal, State and County, 8 percent is privately owned. Remember, the County is the backbone of the Cascade Mountain Range.

Section 12 Paragraph F (2); Land acquired by condemnation may be sold for fair market value. This is a unfair and discriminatrory clause.

Section 4 Administration; The area designated in the Columbia River Gorge Act of 1983 Senate Bill 627, will be governed by a body composed mostly of appointed personnel including the Secretary of Agriculture. Said secretary will have dictatorial powers. We are being subjected to a dictator type of governmant. This legislative act S.B. 627 will supercede all county, state and federal laws, including, The Constitution of The United States, yet we are required to pay taxes come April 15th, therefore, we have taxation without representation. Our forefathers fought a war in 1776 to rid themselves of governmental oppression. They formed a government of the people, by the people, for the people.

This Columbia River Gorge Act of 1983, Senate Bill 627, takes away all the rights that were guaranteed to us in The Constitution, life, liberty and the persuit of happiness. In 1885 our country fought a Civil War to protect our civil rights, property rights included.

Please reread, "The Declaration of Independance, The Bill of Rights, The Constitution of The United States and The Gettysburg Address."

Senators and Representatives, you were elected to Congress by your respective constituents with the belief that you are capable of wise and fair decisions. You took an oath of office to enact fair legislation not only for your electors, but for the "Citizens of The United States of America."

Let our slogan have meaning, make our land truly "America The Land of The Free and The Home of The Brave."

Thank you,
Nelta Paasch

Nelta Paasch
M.P. 0.18R Erickson Road
Stevenson, Washington 98648

November 13, 1984

1984 NOV 19 AM 1:58

Senator Daniel Evans
3206 Jackson Federal Building
915 Second Avenue
Seattle, WA 98174

Dear Senator Evans,

The Mazamas are a Portland based, outdoor oriented organization of over 2,700 members,most of them living in southern Washington and Northern Oregon. We were unable to present verbal testimony to you November 8th, 1984 in Stevenson, WA. Our organization regularly conducts scheduled hikes, climbs, backpacks, ski and white water trips. Many of the hikes, climbs, and backpacks take place in the Columbia River Gorge area. Our members have made significant contributions to both trail maintenance and construction on public lands, both as club members and as individuals, for many years. We have a strong interest in the future management of the Gorge.

We are concerned because we use and love the Gorge. We would like to see it maintained as a multifacted recreational environment close to a metropolitan area. The Gorge is unique in geological and scenic attributes; however, it is threatened by industrial encroachment and urban sprawl, both of which could destroy its unique beauty.

The Columbia River Gorge is encompassed by two state jurisdictions and many, many local and federal bodies. We feel that effective management can best be accomplished by a single authority, and that authority should logically only be Federal.

We have carefully considered several alternatives which have been offered:

1) Continuation of existing policies.
2) Expansion of the role of the present Gorge Commissions.
3) Establishment of a multi-governmental commission (HR 3853)
4) Establishment of Federal management National Scenic Area (S.627).

Nine-O-Nine Northwest Nineteenth Avenue - Portland, Oregon 97209 - Telephone (503) 227-2345

MAZAMAS were organized on the summit of Mt. Hood in 1894 - The purposes of the club are to explore mountains, to disseminate authoritative and scientific information concerning them, and to encourage the preservation of forests and other features of mountain scenery in their natural beauty. Anyone who has climbed to the summit of a mountain on which there is a living glacier is eligible for membership. The word "Mazama" is derived from the name of a mountain goat.

The Mazamas urge your careful consideration and support for Senate Bill 627 as introduced in the first session of the 98th Congress.

We thank you and your staff for the effort you have expended in this matter.

Yours very truly,

W. R. Bus Gibson

W. R. Bus Gibson, Chairman
Mazama Conversation Committee

J

Lumber & Plywood Division
Klickitat Operations
Klickitat WA 98628
509 369 4501

ST REGIS
Corporation

November 14, 1984

Senator Dan Evans
Senate Energy and Natural Resource Committee
Sub-Committee on Public Lands and Reserve Waters
360 Durksen Building
Washington, D. C. 20036

SUBJECT: Columbia River Gorge--Hearing Record

Dear Senator Evans:

Please accept the following comments to be included in the Columbia River Gorge hearing record.

People are an integral part of the environment. The well-being of people in terms of their ability to earn a living, provide for the economy and maintain self-respect is certainly as important an issue as the protection of the scenic beauty and the wildlife of the Columbia Gorge.

Integration of economic concerns and the preservation of the basic natural beauty of the gorge has existed in the past and can continue in the future. This integration is essential to arriving at a compromise that provides satisfaction to all interested individuals, groups, businesses and governments.

By now, we are well informed of the statistics involved; acres by ownerships, volumes of timber by ownerships, number and sizes of existing enterprises and businesses, populations of individual communities and numbers, and extent of recreational facilities.

One has only to drive the length of the gorge--on the U. S. highway in Oregon or the state highway in Washington--to realize that expansive commercial developments, such as dams, railroads, super highways, barging, industrial and government forest management, small towns and recreational facilities, can--and do--blend in a compatible manner with a major scenic area.

Intense good management with concern for _all_ interests is the answer to the continued well-being of a very complex and beautiful area.

Increased federal intervention, beyond that which is in existence, and federal control of the Columbia Gorge will serve only to further encroach on individual freedoms and local jurisdiction.

The St. Regis Corporation Klickitat Operations believes that the forest management and timber production issues in the gorge warrant special consideration at this time. Most of the U. S. Forest Service timber in the gorge area is already removed from harvest planning due to visual management restraints. Every acre of managed timberland is a valuable asset we cannot relinquish. The ever-increasing management intensity being forced upon private timberlands, due to continuing "set-asides" of federal harvestable timber from the national forests, becomes the conservationists argument _against_ private management practice.

There is an insidious encroachment by the conservation interests against private property rights in favor of "locking up" most of the resources. These groups--The Columbia Gorge Coalition, The Oregon Wildlife Federation, The Portland Audubon Society, The Oregon Environmental Council, The Sierra Club, The Oregon Natural Resources Council, and the Wilderness Society--are dedicated to defaming any interests other than their own; namely complete preservation of all resources. They have stated openly that once the gorge area becomes a national scenic area, they will then start working to designate all the major tributary rivers as wild and scenic rivers. This has recently been reinforced by Governor Gardner's statement at your hearing in Stevenson, Washington.

How much more of our forest lands are we willing to allow the preservationists to lock up? How many businesses are we willing to watch go under? How much are we willing to pay for that 2x4, plywood panel or paper product? How much more burden of federal expense in an area of private concerns should the tax payer bear?

State control of forest management under the auspices of the Washington and Oregon Forest Practices Acts will ensure timber harvesting that is compatible with the scenic grandeur of the area. County and city governments, using and expanding upon existing comprehensive plans and zoning regulations, can continue the orderly development and protection of the Columbia Gorge.

Local control with federal involvement can certainly be exercised and coordinated; perhaps with new strength given to the Columbia Gorge Commission. Surely the beauty and the economy of the gorge can both survive and prosper without increasing the level of federal involvement and bureaucratic interference.

Thank you for considering the above comments.

Sincerely,

William B. Ward

William B. Ward
Resident Manager

cps

J

MCEDD

MID-COLUMBIA ECONOMIC DEVELOPMENT DISTRICT

WASCO COUNTY COURTHOUSE ANNEX B 502 EAST FIFTH STREET
THE DALLES, OREGON 97058 TELEPHONE (503) 296-2266

November 8, 1984

Senator Dan Evans
Energy and Natural Resources Committee
Dirkson Office Building
Washington D.C. 20510

Re: Columbia Gorge Hearing
November 8, 1984
Material for the Hearing Record

Dear Senator Evans:

The Board of Directors of the Mid-Columbia Economic Development District (MCEDD) continue to be concerned that the narrow, single issue focus of proposed legislation to-date has been management for scenic preservation. Planning and management must be comprehensive in nature, otherwise further deterioration of the economy, even higher unemployment rates and considerable out-migration of Mid-Columbia citizens may result.

Columbia River Gorge Legislation will affect the region's economic structure, individual businesses, labor force and housing - producing far-reaching consequences. The magnitude of these impacts and the end result will depend on the legislation enacted. MCEDD feels very strongly that an "economic" impact assessment must be prepared to determine the affect of any Gorge legislation on the Gorge economy prior to proposed legislation being enacted.

The MCEDD Board is also very concerned with any proposed increase of Federal intervention in the management of the Gorge. Such an encroachment, with the ability to purchase or acquire land by other means and the establishment of another layer of government regulation, is viewed as contrary to Presidential policy of local control and would severely limit local governments' ability to deal with local problems.

Many of these problems exist because the economic base of the Mid-Columbia has been the timber industry and agriculture, which are highly cyclical, depressed, low or no-growth industries. Those who promote no growth and a return of the Gorge to its "natural element" show no consideration for the rights of its residents. Skamania County, for example, experienced 32.4% unemployment during this recession which continues virtuallly unabated in the Mid-Columbia. Diversification of the economic base is necessary. Federal legislation may severely limit this process.

The MCEDD is a five county bi-state organization representing Hood River, Wasco and Sherman Counties in Oregon and Klickitat and Skamania Counties in Washington. The MCEDD Board of Directors is composed of five (5) County Commissioners, (one from each county), city representatives, Oregon and Washington Port representatives and other public and private representatives.

MCEDD's purpose is to promote economic growth, diversification of the economic base and to overcome the chronic unemployment problems of the Mid-Columbia.

We need the support, experitise and assistance of the Federal agencies now present in the Gorge - not federal regulation based solely on scenic preservation, but freedom of choice and growth in the Mid-Columbia.

Respectfully,

Keith Sutton
Executive Director

CLIFFORD A EVERETT

COOKE, EVERETT & ASSOCIATES, INC.
CONSULTING GEOLOGISTS

TELEPHONE (503) 933-2545
~~RENO, NEVADA~~ 94573 Marcola Road
Marcola Oregon, 97454

Senator Dan Evans
Washington D. C., 20510.

Dear Senator Evans:

The enclosed copy of the proposal and the agreement between the United States and the State of Oregon dated 14 February and 3 June, 1859, state that:-

1) The property line between Oregon and Washington is the middle of the Columbia river.

2) Washington and Oregon have concurrent jurisdiction 'on' the waters. Jurisdiction 'of' (ownership) the waters is neither 'delegated nor prohibited'. Therefore, in compliance with constitutional amendment number ten, the waters belong to the two or more states concerned. The only 'deed restriction' is that of guaranteed free access to all of the inhabitants.

3) Oregon shall never interfere with the primary disposal of soil. Again, because no mention is made concerning secondary disposal (change of ownership) or of any other restriction whatsoever, therefore, amendments 9 and 10 guarantee subsequent control of real estate to the States.

Another matter ! At the hearing held this day in Skamania County, it was evident that those who do not live on and pay to live on the land want to control those who do. In Oregon, Senate Bill 100 (LCDC) empowers such control. Please read carefully, just the first page of Oregon Revised Statute 197 and be amazed at the power seven, politically appointed commissioners hold over all Oregonians. Please prevent the Federal Government from gaining similar power over the residents along the Columbia.

Respecfully yours,

C Everett

Clif Everett, 8 November, 1984.

Dear Senator, I regret that my name was so far down the list of speakers that I was unable to present my remarks in person -so that all those present might benefit from the text of the 1859 documant. My first visit to the Gorge was in 1935 when my parents moved to Oregon. A few years ago, I worked as a consultant to the State concerning the proposed irrigation dams above Hood River. The few nights that I camped high above the Columbia I enjoyed some beautiful sunsets and dawns. The Gorge ranks with the most beautifulvistas that I've seen around the world. All best to you; if the two of ours were just half the man you seem to be, I'd be pleased!

Clif

Appendix (d)

ACT OF CONGRESS

Admitting the State of Oregon Into the Union

PREAMBLE

Whereas, the people of Oregon have framed, ratified and adopted a constitution of state government which is republican in form, and in conformity with the constitution of the United States, and have applied for admission into the Union on an equal footing with the other states; therefore—

Section 1—ADMISSION OF STATE; BOUNDARIES

That Oregon be, and she is hereby, received into the Union on an equal footing with the other states in all respects whatever, with the following boundaries: In order that the boundaries of the state may be known and established, it is hereby ordained and declared that the state of Oregon shall be bounded as follows, to wit: Beginning one marine league at sea, due west from the point where the forty-second parallel of north latitude intersects the same; thence northerly, at the same distance from the line of the coast lying west and opposite the state, including all islands within the jurisdiction of the United States, to a point due west and opposite the middle of the north ship channel of the Columbia river; thence easterly, to and up the middle channel of said river, and, where it is divided by islands, up the middle of the widest channel thereof, to a point near Fort Walla Walla, where the forty-sixth parallel of north latitude crosses said river; thence east, on said parallel, to the middle of the main channel of the Shoshones or Snake river; thence up the middle of the main channel of said river, to the mouth of the Owyhee river; thence due south, to the parallel of latitude 42 degrees north; thence west, along said parallel, to the place of beginning, including jurisdiction in civil and criminal cases upon the Columbia river and Snake river, concurrently with states and territories of which those rivers form a boundary in common with this state.

Section 2—CONCURRENT JURISDICTION ON COLUMBIA AND OTHER RIVERS; NAVIGABLE WATERS TO BE COMMON HIGHWAYS

The said state of Oregon shall have concurrent jurisdiction on the Columbia and all other rivers and waters bordering on the said state of Oregon, so far as the same shall form a common boundary to said state, and any other state or states now or hereafter to be formed or bounded by the same; and said rivers and waters, and all the navigable waters of said state, shall be common highways and forever free, as well as to the inhabitants of said state as to all other citizens of the United States, without any tax, duty, impost, or toll therefor.

Section 3—REPRESENTATION IN CONGRESS

Until the next census and apportionment of representatives, the state of Oregon shall be entitled to one representative in the congress of the United States.

ection 4—PROPOSITIONS TO BE SUBMITTED TO PEOPLE OF STATE; SCHOOL LANDS; UNIVERSITY LANDS; LANDS FOR PUBLIC BUILDINGS; SALT SPRINGS AND CONTIGUOUS LANDS; PERCENTAGE ON LAND SALES; CONDITIONS ON WHICH PROPOSITIONS ARE OFFERED

The following propositions be and the same are hereby offered to the said people of Oregon for their free acceptance or rejection, which, if accepted, shall be obligatory on the United States and upon the said state of Oregon, to wit: First, that sections numbered 16 and 36 in every township of public lands in said state, and where either of said sections, or any part thereof, has been sold or otherwise been disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to said state for the use of schools. Second, that 72 sections of land shall be set apart and reserved for the use and support of a state university, to be selected by the governor of said state, subject to the approval of the commissioner of the general land office, and to be appropriated and applied in such manner as the legislature of said state may prescribe for the purpose aforesaid, but for no other purpose. Third, that 10 entire sections of land, to be selected by the governor of said state, in legal subdivisions, shall be granted to said state for the purpose of completing the public buildings, or for the erection of others at the seat of government, under the direction of the legislature thereof. Fourth, that all salt springs within said state, not exceeding 12 in number, with six sections of land adjoining, or as contiguous as may be to each, shall be granted to said state for its use, the same to be selected by the governor thereof within one year after the admission of said state, and when so selected, to be used or disposed of on such terms, conditions, and regulations as the legislature shall direct; provided, that no salt spring or land, the right whereof is now vested in any individual or individuals, or which may be hereafter confirmed or adjusted to any individual or individuals, shall by this article be granted to said state. Fifth, that five per centum of the net proceeds of sales of all public lands lying within said state which shall be sold by congress after the admission of said state into the Union, after deducting all the expenses incident to the same, shall be paid to said state, for the purpose of making public roads and internal improvements, as the legislature shall direct; provided, that the foregoing propositions, hereinbefore offered, are on the condition that the people of Oregon shall provide by an ordinance, irrevocable without the consent of the United States, that said state shall never interfere with the primary disposal of the soil within the same by the United States, or with any regulations congress may find necessary for securing the title in said soil to bona fide purchasers thereof; and that in no case shall nonresident proprietors be taxed higher than residents. Sixth, and that the said state shall never tax the lands or the property of the United States in said state; provided, however, that in case any of the lands herein granted to the state of Oregon have heretofore been confirmed to the territory of Oregon for the purposes specified in this act, the amount so confirmed shall be deducted from the quantity specified in this act.

Section 5—RESIDUE OF TERRITORY

Until congress shall otherwise direct, the residue of the territory of Oregon shall be and is hereby incorporated into and made a part of the territory of Washington.

Approved February 14, 1859.

Appendix (e)

AN ACT RELATIVE TO CERTAIN PROPOSITIONS

Made by the Congress of the United States to the People of the State of Oregon

PREAMBLE

Whereas, the congress of the United States did pass an act, entitled "An act for the admission of Oregon into the Union," approved the 14th day of February, 1859; which said act contains the following propositions for the free acceptance or rejection of the people of the state of Oregon, in the words following: "Section 4. The following propositions be and the same are hereby offered to the said people of Oregon, for their free acceptance or rejection, which, if accepted, shall be obligatory on the United States and upon the said state of Oregon, to wit: First, that sections numbered 16 and 36 in every township of public lands in said state, and where either of said sections, or any part thereof, has been sold, or otherwise been disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to said state for the use of schools. Second, that 72 sections of land shall be set apart and reserved for the use and support of a state university, to be selected by the governor of said state, subject to the approval of the commissioner of the general land office, and to be appropriated and applied in such manner as the legislature of said state may prescribe for the purpose aforesaid, but for no other purpose. Third, that 10 entire sections of land, to be selected by the governor of said state, in legal subdivisions, shall be granted to said state for the purpose of completing the public buildings, or for the erection of others at the seat of government, under the direction of the legislature thereof. Fourth, that all salt springs within said state, not exceeding 12 in number, with six sections of land adjoining, or as contiguous as may be to each, shall be granted to said state, the same to be selected by the governor thereof, within one year after the admission of said state, and when so selected, to be used or disposed of on such terms, conditions, and regulations as the legislature shall direct; provided, that no salt spring or land, the right whereof is vested in an individual or individuals, or which may be hereafter confirmed or adjudged to any individual or individuals, shall by this article be granted to said state. Fifth, that five per centum of the net proceeds of sales of all public lands lying within said state, which shall be sold by congress after the admission of said state into the Union, after deducting all the expenses incident to the same, shall be paid to said state for the purpose of making public roads and internal improvements, as the legislature shall direct; provided, that the foregoing propositions hereinbefore offered are on the condition that the people of Oregon shall provide by ordinance, irrevocable without the consent of the United States, that said state shall never interfere with the primary disposal of the soil within the same by the United States, or with any regulations congress may find necessary for securing the title in said soil to *bona fide* purchasers thereof; and that in no case shall nonresident proprietors be taxed higher than residents. Sixth, and that the said state shall never tax the lands of the property of the United States in said state; provided, however, that in case any of the lands herein granted to the state of Oregon have heretofore been confirmed to the territory of Oregon for the purposes specified in this act, the amount so confirmed shall be deducted from the quantity specified in this act"; therefore—

Section 1—PROPOSITIONS OF CONGRESS ACCEPTED

That the six propositions offered to the people of Oregon in the above-recited portion of the act of congress aforesaid be, and each and all of them are hereby, accepted; and for the purpose of complying with each and all of said propositions hereinbefore recited, the following ordinance is declared to be irrevocable without the consent of the United States, to wit:

Be it ordained by the legislative assembly of the state of Oregon: That the said state shall never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations congress may find necessary for securing the title in said soil to the bona fide purchasers thereof; and that in no case shall nonresident proprietors be taxed higher than residents; and that the said state shall never tax the lands or property of the United States within said state.

Approved June 3, 1859.

Appendix (f)

ACT OF CONGRESS, MARCH 3, 1859

An Act to provide for extending the Laws and Judicial System of the United States to the State of Oregon and for other purposes.

Be it enacted by the senate and house of representatives of the United States of America in Congress assembled,

That all the laws of the United States which are not locally inapplicable shall have the same force and effect within the state of Oregon as elsewhere in the United States.

Sec. 2. *And be it further enacted,* That the said state is hereby constituted a judicial district of the United States, within which a district court with the like powers and jurisdiction as the district court of the United States for the district of Iowa shall be established, and the judge of the said district court shall hold two regular terms of the said court, annually, at the seat of government of the said state, to commence on the second Monday of April and September in each year.

Sec. 3. *And be it further enacted,* That the judge, attorney, and marshal of the United States for the said district of Oregon, shall reside therein, and the annual salary of the said judge shall be two thousand five hundred dollars, and the marshal and district attorney for said district shall be entitled to the same compensation and fees, as the marshal and attorney for the district of Iowa.

Sec. 4. *And be it further enacted,* That in all cases of appeal or writ of error heretofore prosecuted and now pending in the supreme court of the United States, upon any record from the supreme court of Oregon Territory, the mandate of execution or order of further proceedings shall be directed by the supreme court of the United States to the district court of the United States for the district of Oregon, or to the supreme court of the State of Oregon, as the nature of such appeal or writ of error may require; and each of those courts shall be the successor of the supreme court of Oregon Territory, as to all such cases, with full power to hear and determine the same, and to award mesne or final process therein. * * *

Member of — American Canoe Association • American White Water Affiliates

Oregon Kayak and Canoe Club PORTLAND, OREGON

c/o Susan Seyl
2315 NE Everett
Portland, OR 97232

Senator Evans
Committee on Energy & Natural Resources
Public Lands Subcommittee
U.S. Senate Office Building
Washington, DC 20510

November 20, 1984

Dear Senator Evans:

This letter represents the views of the nearly 200 members of the Oregon Kayak and Canoe Club, an organization of Portland-area whitewater boaters. In lieu of presenting testimony on November 8th, the OKCC wishes to state its views on Columbia River Gorge legislation through this written statement.

As recreationists and conservationists, we support strong legislation that will insure the preservation of this magnificent landscape. To this end, we feel that the Gorge needs strong federal protection, with a regional commission to review local issues. It is vital that protective legislation be enacted as soon as possible because of the ever-increasing development pressures that are already degrading the Gorge.

Our organization's interest in the Gorge is also very specific. We feel strongly that the legislation must include protection for the Gorge's tributaries. The importance of the tributaries to the Columbia River's existing, and hopefully improving, anadromous fisheries is well documented. Protective legislation is also needed to prevent adverse development from occurring along these rivers. Indiscriminate logging, mining, hydroelectric projects and wetland destruction are all aspects of inappropriate resource utilization that could severely degrade the tributaries and have a negative impact on the entire basin.

To insure true protection and preservation of the tributaries of the Gorge, we advocate instant wild and scenic river designation for the Wind and Little White Salmon rivers in Washington, and for the lower Deschutes, John Day and Sandy Rivers in Oregon. Although the Oregon rivers are currently classified as State Scenic Waterways, they are not protected from federally-licensed hydropower projects. Wild and scenic river studies should also be undertaken immediately for the Washougal, White Salmon, Klickitat and Hood rivers.

All of these rivers, with the exception of the Little White Salmon, are extremely popular among boaters. The Gorge has gained a reputation throughout the region for having some of the most beautiful and challenging whitewater runs in the country. The unique geographical features of the Gorge have created a tremendous variety of river characteristics among the tributaries, from wide, gently-flowing sections of water, to raging torrents in steep, rugged canyons, to deep, placid pools. This variety has made the Gorge a true haven for kayakers and canoeists year-round. Similarly, the Gorge's unique climate and landforms create superb conditions for the sport of wind surfing that is attracting world-wide attention to this area.

Each summer, for the last four years, the OKCC has sponsored slalom and downriver races for kayaks and canoes on the White Salmon River at Husum. Because of the impressive attendance at our first race in 1981, the Husum Fire Department has held a street fair and fund-raising fireman's breakfast each of the last three years in conjunction with the race. The weekend event attracts most of the Northwest's best whitewater racers who continue to proclaim the White Salmon Race the best on the circuit, as well as hundreds of local residents and tourists who come to see the show. The July weekend also brings together all those who have an interest in keeping the White Salmon just as it is.

Since local and Portland-area kayakers began running the White Salmon during the 1970s, its popularity has increased dramatically. Two commerical rafting companies now offer guided trips through the White Salmon's spectacular canyon where the clear water races through narrow, rocky canyons and wildflowers abound. The water level in the White Salmon remains fairly constant throughout the summer months when many other area rivers are no longer runnable, making the White Salmon even more popular in summer.

In conclusion, we want to emphasize the importance of protecting all of the features of the Gorge that make it the outstanding natural and scenic area that it is. We feel the tributaries are as vital as the Columbia River itself and are prime examples of this region's most important resources - its clean, free-flowing rivers. We urge you to support strong legislation to protect the Gorge and its tributaries and thank you for the opportunity to comment.

Sincerely,

Susan Seyl

Susan Seyl
Conservation Chair

INDUSTRIAL
FORESTRY ASSOCIATION

225 S.W. Broadway / Room 400
Portland, Oregon 97205–3798
(503) 222-9505

November 21, 1984

Hon. Daniel J. Evans, U.S.S.
702 Hart Building
Washington, D.C. 20510

Hearing on Columbia River Gorge
November 8, 1984
Stevenson, Washington

Dear Senator Evans:

Industrial Forestry Association has been coordinating forest industry landowner concerns for both the States of Washington and Oregon relating to Columbia River Gorge legislation. We have members on both sides of the river who own wood manufacturing plants and intensively manage approximately 30,000 acres of forest land. Please accept these comments into the record for the above hearing.

The industry panel at your hearing was organized to make you aware that the industrial forest landowners want to be role players in the development of any legislation involving the Columbia River Gorge. Each panel had an objective to fulfill. They were: One, to make you aware of the historical presence of our industry in the Gorge. Two, to make you aware of our support for a single management entity which provides a partnership among federal agencies, states, counties, cities and landowners where the federal government is not dominant. That eminent domain is necessary and there is a need for precisely drawn critical areas to protect unique scenic, historical and archaeological areas. Three, to make you aware of our opposition to federal regulation of private forest management and our support for continued state regulation of water quality and soil protection. Four, to make you aware of the cumulative effects of public and private timberland withdrawals and the need for flexibility in managing forest lands, especially for small landowners.

There is no need for me to repeat in detail what has already been said by the timber industry panel. The only thing I might add is that industry has been seeking a way to a balanced Columbia River Gorge bill even though others remain extremely polarized. It has

50 YEARS OF FORESTRY LEADERSHIP
1934 1984

SERVING FOREST OWNERS, LOGGERS, WOOD USERS THROUGHOUT THE DOUGLAS FIR REGION

become more obvious over time that proponents of the Gorge legislation want to stop any development in the Gorge, including the harvesting of timber. It is ironic that they take this position because 90% of the timber owned by industry is too young to harvest.

Senator Evans, your efforts to end this polarization are essential and we who have protected the Gorge with wise forest management decisions and investments want to work with you in order to protect the Gorge. After all, if the Gorge is such a beautiful place we must have done something right.

Sincerely,

Philo Gregg
District Forester

PG:me

ARCC American Rivers Conservation Council
322 4th Street, N.E. Washington, D.C. 20002 Telephone: (202) 547-6900

Nov 23, 1984

Senator Dan Evans
Energy and Natural Resources Committee
U.S. Senate
Washington, DC 20510

Dear Senator Evans:

Enclosed is my recent letter from the American Rivers Conservation Council to the Energy and Natural Resources Committee supporting protection of the Columbia River tributaries in a strong Columbia Gorge protection bill in 1985.

I hope you will use your position on the Committee to make the passage of such a bill the highest priority. I look forward to working with you and your staff on this issue.

Sincerely,

Chris Brown

Chris Brown
Conservation Director

Dedicated to the Preservation of Free-Flowing Rivers

ARCC American Rivers Conservation Council
322 4th Street, N.E. Washington, D.C. 20002 Telephone: (202) 547-6900

November 21, 1984

Senator Malcolm Wallop, Chairman
Subcommittee on Public Lands and Reserved Water
Senate Energy and Natural Resources Committee
U.S. Senate
Washington, DC 20510

Dear Senator Wallop:

Recent hearings in Washington state of your subcommittee revealed the strong support for protection of the Columbia River Gorge. One part of that protection must be addition of qualified Columbia River tributaries to the National Wild and Scenic Rivers System.

I hope in the coming session of Congress you will support the following tributaries of the Columbia as federal Wild and Scenic designations (or, where appropriate, studies):

Washougal
Wind
Little White Salmon
White Salmon
Klickitat
Sandy
Deschutes
Hood
John Day

I look forward to working with you on the protection of an important, nationally significant area: the Columbia River Gorge National Scenic Area.

Sincerely,

Chris Brown
Conservation Director

cc: Senator Dan Evans
Senator Mark O. Hatfield
Oregon Natural Resources Council
Columbia River Inter-Tribal Fish Commission

P.S. Please make this letter part of the hearing record.

November 8th, 1984

SMALL RURAL LAND OWNERS OF OREGON, INC.

93241 Giant Oak Drive,

Junction City, Oregon, 97448

Oran W. Brown, President
Tel: (503) 998-6925

SUSTAINING MEMBERS:

MAD FRIENDS OF OREGON, Roy Durham
President

Lane County Small Rural Land Owners, Inc

Honorable Senator Dan Evans
Energy & Natural Resources Committee
Dirksen Office Bldg.,
Washington, D.C. 20510

Re: COLUMBIA GORGE HEARING, Nov. 8, 1984.

Material for the Hearing Record

It appears to us here IN OREGON, WE HAVE AN OVER SUPPLY OF SO CALLED, ALLEGED ENVIRONMENTEST, who claim they are the TRUE VOICE OF THE PEOPLE=--------------. WHICH IS HARD TO BELIEVE?!!

Under their leadership we find -------------- all of our land is now under the controll of as it appears to us AN UNAMERICAN, UN-DEMOCRATIC FORM OF GOVERNMENT, A BUREAU called LAND CONSERVATION AND DEVELOPMENT COMMISSION, known as L.C.D.C.

(OREGON IS AN EXTREMELY DEPRESSED AREA)

Beyond a shadow of a doubt it is our personal opinions and **belief**, that under their BUREACTIC CONTROLL L.C.D.C., has caused the ECONONY OF THE STATE OF OREGON, TO BECOME THE VERY WORST IN THE NATION. TODAY OUR GREATS EXPORT OUT OF OREGON, IS OUR PEOPLE, ESPECIALLY OUR YOUNG, LEAVING OUR GREAT STATE LOOKING FOR EMPLOYMENT.

We already both in OREGON AND WASHINGTON, States, have far to much land under Burcreatic controll and off the tax rolls of these states.

The matter of LAND CONTROLL AND PEOPLE CONTROLL herein ---------- IS IN FACT A WAR AND AT PRESENT IS NOW COMING BEFORE THE OREGON COURT OF APPEAL, as per attached DOCUMENTS ENTITLED:

"IN THE COURT OF APPEALS OF THE STATE OF OREGON"

SMALL RURAL LAND OWNERS OF OREGON, INC. - Continued:

LANE COUNTY SMALL RURAL LAND OWNERS, INC.
Petitioner
v.
LAND CONSERVATION AND DEVELOPMENT COMMISSION,
Respondents
and
"1000 FRIENDS OF OREGON"
"Petitioner"

Agency No. 84-ACK-201
IN THE MATTER OF
LANE COUNTY COMPRENHENSIVE PLAN AND LAND USE REGULATIONS

PETITION TO INTERVENE

Petition is composed of two pages, plus Exhibits (2) & "E-18, E-19, E-20, E-21, E-22, E-23, E-3, E-4, E-52 & E-55", copies of same are enclosed herewith and made a part of this protest against the COLUMBIA GORGE BEING TAKEN OUT OF PRIVATE PROPERTY OWNERS, OWNERSHIP AND PLACED IN THE HANDS OF THE BUREACRATS and/or SO CALLED ENVIRONMENTEST CONTROLL.

We believe the right of the people now living on this land is a more SENSITIVE RIGHT TO BE CONSIDERED, than that of perhaps, the purple butterfly, the horned toad, coyotes, mice, grass hoppers, lizards, snakes, mosquoits, flies, etc. There is no expectation of food production for the starving people of the world if the land is taken over primarily for it scenic values, which will still remain if privately owned.

The loss of jobs and tax revenues will be a major factor too. The George's 19th century economy, based on WHEAT, FRUIT, TIMBER REQUIRES A SIZABLE AMOUNT OF LAND TO EMPLCY EACH PERSON----AND THERE HAS BEEN NO PROOF OFFERED BY THE OPPOSITION, THAT PRESENT PRIVATE PROPERTY OWNERS ARE BADLY MANAGING THEIR LAND AS TO DAMANGING THE SCENIC ASPECT OF SAME, ETC. Only half the George remains today in PRIVATE HANDS. and much of that is marginal land and steep terrain, that will have no difference in appearance whether or not in PRIVATE OR FEDERAL OWNERSHIP, and/or CONTROLL.

Taxpayers in six counties will face higher tax bills as land is withdrawn and disappears from the tax roll--at a time when our federal government already spends more than it is taking in. We donot need another GOVERNMENT TAKE OVER OF PRIVATE LAND, IN FACT, QUITE TO THE CONTRARY; MORE LAND BOTH HERE IN OREGON AND WASHINGTON should be deposed of by our government and place on county tax rolls, to support our Schools, Cities and State governments.

SMALL RURAL LAND OWNERS OF ORECON, INC. - Continued.

Page -3-

AS A RESULT OF THIS ATTEMPTED,

SENSELESS TAKE OVER OF THE COLUMBIA GEORGE

What about the people who live their, some 41,000 of them, in good conscience cannot be SWEPT UNDER THE RUG AS IF THEY HAD NEVER EXISTED BY OUR FEDERAL GOVERNMENT;

as they are in both bills in the matter of an attempted SENSELESS TAKE OVER of their right to live in the Columbia George, work there and own land, a matter of SENSITIVE HUMAN IMPACT, that cannot be so lightly dismissed, as the

INVIORMENTIST WOULD LIKE OUR GOVERNMENT TO DO

DON!T THESE PEOPLE HAVE A RIGHT TO?

There is more than something WRONG HERE, these bills are supposed to be; "environmental protection, yet in these bills the word "PROTECTION IS HARDLY MENTIONED", why?

Regardless of what is stated in either of these bills, that federal managers, '"BURECRATS" as "FEDERAL MANAGERS", "WILL DESIGNATE "CRITICAL" OR "SENSITIVE" land that will be subject to condemnation (and, in the Hatfield Packwood bill, to a land-use moratorium as well. How much land? Those federal managers will decide that, too..

It is little wonder that the recent poll by Portland congresional candidate Drew Davis found only 10 percent of people in Oregon!s 3rd Congressional District (WHICH INCLUDES MOST OF PORTLAND) IN FAVOR OF FEDERAL MANAGEMENT OF THE GEORGE. In the George itself, repeated polls, surveys and ballots measures have found 94 percent to 99 percent of the population opposed to federal control, and MORE BIG BROTHER; UNNECESSARILY COSTLY,

SENSELESS LAND TAKE OVER,

BY OUR FEDERAL GOVERNMENT

Sincerely,
Small Rural Land Owners of Oregon, Inc.

By Oran W. Brown President
Oran W. Brown, President
Tel: (503) 998-6925

By C C Fairbanks Secretary & Director
C. C. Fairbanks, Secretary & Director
Tel. (503) 746-2635

Copy. To: ----
ohn K. Fisher,
resident;
olumbia George United
olumbia George United
NEWSLETTER

lonorable Senator Packwood
and
lonorable Senator Hatfield
MAD FRIEDNS OF OREGON
Roy Durham, President
MOST HONORABLE:
PRESIDENT OF THE UNITED STATES
RONALD REAGAN
lonorable Rep:
Jim Weaver

TRUE COPY

IN THE COURT OF APPEALS OF THE STATE OF OREGON

LANE COUNTY SMALL RURAL LAND OWNERS, INC.)
Petitioner)
v.)
LAND CONSERVATION AND DEVELOPMENT COMMISSION,) Agency No. 84-ACK-201
Respondents) IN THE MATTER OF
and) LANE COUNTY COMPRENSIVE PLAN AND LAND USE REGULATIONS
"1000 FRIENDS OF OREGON")
"Petitioner")

PETITION TO INTERVENE

"In the matter of "1000 FRIENDS OF OREGON", Petitioner "
v.
" LAND CONSERVATION AND DEVELOPMENT COMMISSION, Respondent "
" PETITION FOR JUDICIAL REVIEW "

Petitioner seeks right to INTERVENE in the matter of 1000 FRIENDS OF OREGON, seeking "judicial review of the final order of the land Conservation and Development Commission entitled "IN THE MATTER OF LAND COUNTY!S RURAL COMPREHENSIVE PLAN AND LAND USE REGULATIONS." LCDC ORDER 84-ACK-201, dated October 3rd, 1984, a copy of which is attached and represents as follows:

A. Nature of the Order the Petition desires to participate and to INTERVENE in the REVIEW PROCESS:

Since Land Conservation and Development Commission!s "LCDC" order acknowledged the rural portions of the comprehensive plan and land use regulations submitted by Lane County pursuant to ORS 197.251(1) to be in compliance with the statewide goals. Petitioner seeks the right to INTERVENE as to EVIDENCE PRESENTED by 1000 FRIENDS OF OREGON, AS WELL AS TAKING PART IN THE REVIEW

IN THE COURT OF APPEALS OF THE STATE OF OREGON

PETITION TO INTERVENE - CONTINUED

PROCEEDINGS OF THAT ORDER AS ALLOWED BY LAW AS AN INTERVENING PARTICIPANT IN SUCH A CASE.

B. Nature of Petitioner!s Interest.

Petitioner LANE COUNTY SMALL RURAL LAND OWNERS, INC., PARTICIPATED IN LCDC!s ACKNOWLEDGMENT REVIEW PROCESS FOR LANE COUNTY AND IN ALL HEARINGS HELD BY LANE COUNTY COMMISSIONERS PERTAINING TO THE LANE COUNTY COMPREHENSIVE PLAN.

Petitioner represents MORE RURAL LAND OWNERS IN LANE COUNTY THAN ANY OTHER ORGANIZATION, INCLUDING THE 1000 FRIENDS OF OREGON, AS OUR MEMBERSHIP AT THIS TIME IS ESTIMATED AT 500 RURAL LAND OWNERS OF LANE COUNTY, OREGON.

We certify, that the aforesaid statement, are true and correct to the best of our KNOWLEDGE AND BELIEFS.

Dated this 6th, day of November, 1984. OK DWB

at [illegible]241 [illegible] Oak Drive,
Junction City, Oregon, 97448
Tel: (503) 998-6925

Lane County Small Rural Land Owners, Inc.

By Oran W. Brown Chairman
Oran W. Brown, Chairman

By C C Fairbanks Co-Vice Chairman
C. C. Fairbanks, Co-Vice Chairman

EXHIBITS: "E-18, E-19, E-20, E-21, E-22, E-23, E-3, E-4, E-52 & E-55" All are matters now of PUBLIC RECORD in this case, and as such are "PUBLIC DOCUMENTS", are incorporated herein by reference thereto.

BEFORE THE
LAND CONSERVATION AND DEVELOPMENT COMMISSION
OF THE STATE OF OREGON

IN THE MATTER OF	)	
LANE COUNTY'S RURAL	)	COMPLIANCE ACKNOWLEDGMENT
COMPREHENSIVE PLAN AND	)	ORDER 84-ACK-201
LAND USE REGULATIONS	)	

This matter came before the Commission on September 13, 1984, as a request for acknowledgment of compliance pursuant to ORS 197.251 and the Commission Acknowledgment Rule, OAR 660-03-000 to 660-03-033. The Commission, having fully considered Lane County's comprehensive plan and land use regulations, comments and objections of interested parties and the report of the Department of Land Conservation and Development, now enters its:

Findings of Fact and Conclusions

1. Lane County's request for Acknowledgment of Compliance was reviewed by the Commission previously on February 13, 1981, pursuant to ORS 197.251 and the Commission Acknowledgment Rule, OAR 660-03-000 to 660-03-033. For this review, the Commission found Lane County's Rural comprehensive plan and land use regulations did not comply with certain specified Statewide Planning Goals and denied the request for acknowledgment (Denial Order of February 26, 1981 as amended, (Exhibit A)).

2. The Commission reviewed the attached written report of the Director of the Department of Land Conservation and Development on September 13, 1984 regarding the compliance of the plan and regulations with the Statewide Planning Goals.

3. Based on its review, the Commission finds that Lane County's comprehensive plan and land use regulations comply with the Statewide Planning Goals for the reasons set forth in Section IV of the Department's report adopted by the Commission on September 13, 1984, and made a part of this Order (Exhibit B).

THEREFORE, IT IS HEREBY ORDERED THAT:

The Land Conservation and Development Commission acknowledges that the comprehensive plan and land use regulations of Lane County are in Compliance with the Statewide Planning Goals for the rural portion.

Severability

If, upon judicial review, this order is reversed or remanded solely with respect to an identifiable geographic area, the remainder of the order shall remain valid and shall be treated as a limited acknowledgment order under ORS 197.251(6). If requested by the affected local government or if otherwise necessary, the Director may issue, without further review by the Commission, an amended acknowledgment order describing the geographic area that remains acknowledged.

DATED THIS 3RD DAY OF OCTOBER 1984.

FOR THE COMMISSION:

James F. Ross, Director,
Department of Land
Conservation and Development

NOTICE: You are entitled to Judicial Review of the Order. Judicial Review may be obtained by filing a petition for review within 60 days from the service of this final Order. Judicial Review is pursuant to the provisions of ORS 183.482 and 197.650.

** Copies of all Exhibits are available for review at the Department's office in Salem.

JFR:TMC:drw
1055D/5B

Lane County Small Rural
Landowners Association, Inc.
93241 Giant Oak Drive
Junction City, OR 97448

July 9, 1984

Department of Land
Conservation and
Development Commission
1175 Court Street, N.E.
Salem, OR 97310-0590

ATTN: James F. Ross
Director

Lane County Commissioners
Lane County Courthouse
125 East Eighth
Eugene, OR 97401

ATTN: Peter DeFazio
Chairman

RECEIVED
JUL 09
LANE COUNTY

Dear Sirs:

The Lane County Small Rural Landowners Association, Inc., is in receipt of a copy of the letter of June 28, 1984, from Mr. Ross of the Department of Land Conservation and Development Commission to Mr. DeFazio, enclosing the Departments report on Lane County's Request for Acknowledgment of Compliance. The letter further states that Mr. DeFazio has an opportunity to file written exceptions to the report.

This letter is written to summarize our exceptions to the plan as well as request confirmation that our previous correspondence setting forth our exceptions and objections was submitted to the department in a timely fashion by Mr. DeFazio.

It remains the contention of the Lane County Small Rural Landowners Association that approval by the Lane County Commissioners of the Lane County Comprehensive Plan and its subsequent submission to the department on March 2, 1984, was arbitrary, capricious, and an abuse of descretion based on the following facts:

I. FAILURE BY THE COMMISSIONERS TO ALLOW INPUT FROM CITIZENS INVOLVEMENT GROUPS AND FAILURE TO GAIN TIMELY APPROVAL BY THE DEPARTMENT TO SUBSTITUTE THE COUNTY PLANNING COMMISSION.

It is our contention that the Lane County Comprehensive Plan, as basically drafted by the Lane County Planning Commission should be considered void due to a lack of proper citizen involvement. Despite specific laws to the contrary, the Lane County Commissioners substitued the Planning Commission for Citizen Involvement groups to draft the plan without the prior approval of the Department. The subsequent approval of the substitution by the Department did not validate the act by the Commissioners, but merely demonstrated a failure on the part of the Department to enforce is own rules.

Notwithstanding the illegal acts of the Commissioners,

E-18

their failure to consider the results of citizen involvement in general also raises a question of abuse of descretion. Despite uniform protest throughout the county concerning the plan, and a unanimous vote by the Citizens Involvement Committee that there was not proper citizen involvement in the creation of the plan, the plan was approved and submitted to the Department. There is little question that these facts were never considered in the approval process.

II. FAILURE ON THE PART OF THE COUNTY COMMISSIONERS TO REVIEW ALL EVIDENCE SUBMITTED AND THE SUBSEQUENT FAILURE TO SUBMIT SUCH EVIDENCE TO THE DEPARTMENT.

It is our contention of the Lane County Small Rural Landowners that, contrary to the laws of the State of Oregon, the evidence submitted to the Commissioners with regard to the plan was never reviewed, but was summarized in cursory fashion by the staff in its report to the Commissioners. Likewise, the evidence submitted to the Department was never even mentioned in the report of James F. Ross transmitted to the Commissioners on June 29, 1984.

Due to the lack of inclusion of evidence of objections and exceptions to the plan, or even reference thereto, the report must be considered nothing but "incentive policy" which is in and of itself in violation of the law.

It has also come to our attention that the tape recordings of some sixty meetings around the county where citizen involvement was allowed, was never submitted to the Department. While this does not itself create an abuse of decretion on the part of the Commissioners, it does create a question of how complete the report to the Department was.

III. THE PLAN ITSELF IS UNCONSTITUTIONAL AS A TAKING OF REAL PROPERTY WITHOUT COMPENSATION.

~~Finally,~~ the Lane County Comprehensive Plan itself creates restrictions on the citizens of the county which amount to a deregation of the property rights of individuals as guaranteed in the Constitutions of the United States of America and the State of Oregon.

By restricting the ability of a citizens to use his or her property in a reasonable way, particularly when the property owner was not restricted prior to its creation, the government has in effect condemned the property. While the goverment has the right, through its police power, to "condemn" or "take" property, it cannot legally do so without adequately compensating the owner. The plan in our opinion, is unconstitutional, in that it creates a taking without just compensation.

We would appreciate your response to our request as stated above, and your acknowledgment of receipt of this letter at your earliest convenience.

Very truly yours,

Lane County Small Rural
Landowners Association, Inc.

By: Oran W. Brown
Title: Chairman & Director

By:
Title: Director

By: x C.C. Fairbanks, Co-VICE CHAIRMAN
Title: Sec. & Director
President

By: Bert Hegler
Title: Director

By:
Title: Senior Advisor

cc: Governor
Attorney General
Lane County District Attorney
Lane County Sheriff
Small Rural Landowners Assoc., Inc.
Real Friends of Oregon, Inc.
MAD Oregon Property Owners, Inc.

Pat Horton

DAVE FROHNMAYER
ATTORNEY GENERAL

WILLIAM F. GARY
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
GENERAL COUNSEL DIVISION
Justice Building
Salem, Oregon 97310
Telephone: (503) 378-4620

July 18, 1984

Oran W. Brown
President and Director
Small Rural Land Owners Association
of Oregon, Inc.
93241 Giant Oak Drive
Junction City, OR 97448

Re: DOJ File #660-001-G0004-84

Dear Mr. Brown:

Our office has received several letters from you expressing concerns about the Lane County comprehensive plan and the review thereof by the Land Conservation and Development Commission (LCDC). Attorney General Dave Frohnmayer asked me to respond to your letters.

LCDC is statutorily charged with reviewing local comprehensive plans and land use regulations for compliance with the Statewide Planning Goals. This review process is governed by ORS 197.251 and related administrative rules adopted by LCDC.

As you know, the review of Lane County's plan and regulations is currently in process. It is appropriate, as you would appear to have done, that you express your concerns to the agency for consideration during this process. LCDC has the initial responsibility to consider not only your objections about Lane County's plan and regulations, but also those involving the agency's own review procedures.

Our office has the responsibility to provide LCDC and all other state agencies with legal advice and to represent those agencies in defense of their actions. We will certainly consider the information you have submitted in any advice we provide LCDC. However, if you continue to believe that LCDC has acted unlawfully, you may wish to secure the services of a private attorney.

Thank you for bringing this matter to our attention.

Sincerely,

Michael B. Huston

Michael B. Huston
Assistant Attorney General

MBH:jj27

SMALL RURAL LANDOWNERS ASSOCIATION
Oran Brown, President
93241 Giant Oak Drive
Junction City, Oregon 97448

5 July 1984

Department of Land Conservation & Development Commission
1175 Court Street N.E.
Salem, Oregon 97310-0590

Attention: James P. Ross, Director

re: Lane County Comprehensive Plan Review Process

SUBJECT: Exception to the following:

* 1. "DIGEST" (Director's Preliminary Report) of L.C.D.C. as received by the Lane County Commissioners, marked received May 31, 1984.

* 2. "REPORT" of L.C.D.C. Director James P. Ross, as transmitted to Lane County Commissioners under date of June 29, 1984.

* 3. LANE COUNTY COMPREHENSIVE PLAN, IN ITS ENTIRETY,

* LEGAL REFERENCE: "O.R.S. 197.040(c)." "As amended by 1981 OR Laws Ch 748 §22." "The 1981 amendment was a reaction to L.C.D.C.'s use of non-binding interpretive POLICY PAPERS."

O.W.B.
Pres.

EXCEPTION #1

Historically, Lane County Commissioners have shown no real concern for the rights of the small rural landowners of Lane County. Instead, historically, they seem to have shown more concern for the political pressures applied by such groups as 1000 Friends of Oregon, LCDC and the League of Women Voters instead of endeavoring to protect the Constitutional and other rights of the small rural landowners of Lane County. (The small rural landowners of Lane County, although a minority group, are also entitled to live and work in the county without undue restraints upon their Constitutional heritage.) We contend that the Lane County Comprehensive Plan submitted by the Lane County Commissioners is fatally flawed in that it is the result of "in house" input by paid members of the County Planning staff and does not properly reflect citizen involvment in all phases of the Plan. This reliance on "in house" input is in violation of Oregon statutes, etc. governing the preparation of said Plan.

In support of the contention of the Small Rural Landowners Association of Oregon that the findings of fact and the conclusions of the law and final draft of the Lane County Comprehensive Plan submitted to LCDC on March 2, 1984 are erroneous, we place in evidence and incorporate by reference, the recorded tapes of the combined hearings of the Lane County Planning Commission and the Lane County Board of Commissioners of December 14, 1983. Said tapes are prima facie evidence that the vast majority of testimony supplied by citizen involvment at that hearing and at numerous subsequent hearings indicate that at least 90+% of the small rural landowners were on record as being opposed to the Lane County Plan. All to no avail. The Lane County Plan completely ignores the input of citizen involvment and is, therefore, fatally flawed.

EXCEPTION #2

The Citizen Involvment Advisory Committee meeting held in Salem on June 27, 1984 was marred by the refusal of Chairman James Owens to allow the representative of the Rural Small Landowners Association of Oregon the opportunity (and right) to rebut the testimony of the Lane County Commissioners and Planners. Said testimony was not entirely factual and was misleading in their contention that there was citizen involvment in all phases of the Lane County Comprehensive Plan. This was not a factual statement due to the extensive use of "in house" input by paid staff employees in the creation of the initial Lane County Comprehensive Plan. This has been acknowledged by Lane County Commissioners in public hearings which are a matter of public record now being received by LCDC. The contentions of LCDC, on June 29, 1984, that our objections are not valid, is not supported by the evidence and is not a factual statement. We contend that the refusal by the chairman to hear rebuttal testimony was a discriminatory action against the Small Rural Landowners Association and all small rural landowners of Lane County and the State of Oregon, with no exception, and as such was damaging to their vested property rights.

EXCEPTION #3

We contend that LCDC and its Director and staff seem to exhibit biased and prejudicial attitudes toward the Small Rural Landowners Association by referring to documents submitted to LCDC as "incomprehensible" and of no validity.

EXCEPTION #4

We contend that the REPORT of May 31, 1984 and the REPORT of June 29, 1984 are merely "incentive policy" papers and as such are in violation of ORS 197.040(c) as amended by 1981 Or Laws Chapter 748. 22. In support of this contention we refer to a letter (included in the attached documents) from Lane County Commissioner DeFazio to Oran Brown, President of the Small Rural Landowners Association, dated February 10, 1984, in which he refers to similar prior activities of LCDC as "political ploys."

EXCEPTION #5

We contend that insofar as all documents submitted to Lane County and LCDC have not been properly acknowledged in the REPORT of June 29, 1984 that this omission makes said REPORT discriminatory. All documents submitted, whether legal briefs, news reports, letters, etc. are public documents and are not subject to censorship.

EXCEPTION #6

We contend that the Director and staff of LCDC are acting beyond the scope of their duties as prescribed by Oregon law and appear to be in violation of ORS 197.040(c). Duties as Hearing Officers adjudicating all of the evidence of record is invested by law in the Commission, not in its Director or staff.

We sincerely appreciate your attention to this letter and would appreciate your prompt action in regard to the above stated exceptions.

Sincerely,

Oran W. Brown, President
Oran Brown, President

cc: Governor
Attorney General
Lane County Commissioners
Lane County District Attorney
Lane County Sheriff

Sustaining
Members: Lane County Small Rural Landowners Association, Inc.
Real Friends of Oregon, Inc. - B. J. Rogers, President
Mad Oregon Property Owners, Inc. - Roy Durham, President

NEWS RELEASE

Letter to the Editor
June 8,1984

DIRTY POLITICS?

Why is it apparently, Robert L. Liberty, Attorney for the self-styled named 1000 Friends of Oregon, take so great delight in picking on the SMALL RURAL LAND OWNERS OF OREGON? Does he and his friends realize, that in no way would the future National Timber supply would ever be greatly enhanced, even if these people could force all of the PRIVATE OWNED LAND OF THE MINOR RURAL LANDOWNERS into permanent timber production?

On the other hand these people, Liberty speaks of as "WATCH DOGS" for our State, I am certain many of us would appreciate if they would take what appears to us their aborative activity elsewhere. Or suggest they put most of their effort hereafter where it might do some real good.

Why are they not concerned about the millions upon millions of acres of timber land in Oregon which has been CLEAR CUT AND NEVER REPLANTED, AND/OR REPLANTED AND THE TREES DID NOT GROW? Why is Attorney Liberty and his friends, apparently overanxious to SADDLE THE SMALL RURAL LAND with what IN TRUTH SHOULD BE A NATIONAL PROBLEM?

This is the reason the SMALL RURAL LANDOWNERS ASSOCIATION, CANNOT ACCEPT ANY KIND OF AN UNREASONABLE COMPROMISE, FROM LANE COUNTY COMMISSIONERS, LCDC, OR ANYONE ELSE.

IN OTHER PARTS OF THE WORLD, WHERE GOVERNMENT HAS BEEN ABLE TO TAKE CONTROL OF THE LAND, THEY SOON WERE ABLE TO CONTROL THE PEOPLE.

Oran W. Brown, President
Small Rural Landowner of Oregon, Inc.
by Oran W. Brown, President

OWB/ssh

EXHIBIT "B"

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Editorials

Letters Opinions

8A EUGENE, OREGON, FRIDAY, MAY 25, 1984

An unnecessary quagmire

In a recent Oregon Supreme Court decision involving a Clatsop County land-use case, Chief Justice Edwin J. Peterson targeted a legal Catch-22 long overdue for legislative overhaul.

The issue raised by Peterson in a separate concurring opinion deals with Oregon's unfathomable system of judicial review of state administrative and local governmental actions in such diverse areas as land use, water rights, sanitation, land fills, environmental quality, mining and road siting. His concern was candidly and forcefully put forth in this sentence:

"If a person intended to create an inefficient, unpredictable, ineffective, expensive, unresponsive system for review of governmental acts, he or she would use the system we have in Oregon as a perfect model. Ours is senseless and cries for revision."

The chief justice added: "Under our monstrous system, the most intelligent lawyer rarely can advise the client with any measure of confidence. The wealthy client risks his fortune by venturing into the morass of review of a public body's action. The middle class and poor can't afford the risk. Any administrative or judicial procedure which is so complex that intelligent persons cannot know how to bring their claims or objections to the appropriate tribunal is more than suspect; it is incompatible with a system of effective government."

Amen.

The problem, particularly in the area of administrative law, is that neither Oregon statutes nor case law provide guidelines upon which lawyer or client can rely in pursuing a remedy. Simply put, those objecting to a governmental decision often don't know — until it's too late — whether a court or an administrative appeals body has jurisdiction in their case. Further, there is wide confusion over which of seven available legal devices to use. The Clatsop County case illustrates the difficulty.

In 1978, a developer operating under the name Sports Acres Inc. purchased a 50-acre complex consisting of swimming pools, tennis courts and the like. A short while later, the developer acquired an option on 228 additional acres for development as RV and tent camp sites. Clatsop County officials determined that the intended use of the additional acreage was permitted under the then-existing zoning ordinance.

In 1980, however, the county adopted a new zoning ordinance that prohibited the developer's intended use. The developer appealed to the county, which allowed him a non-conforming use permit. Property owners across the river from the proposed development appealed that decision to the State Land Use Board of Appeals (LUBA) and at the same time began a declaratory judgment action in circuit court.

LUBA subsequently ruled that it lacked jurisdiction in the case, dismissing the appeal. The circuit court, to the contrary, concluded that LUBA — not the court — was the proper forum for review and dismissed the request for a declaratory judgment. The Court of Appeals confirmed the circuit court's ruling and, later, the Supreme Court affirmed the Court of Appeals decision.

Apart from the question of jurisdiction, the case also involved complicated property rights issues. But as Peterson so aptly pointed out in his concurring opinion, it also illustrated "the gallons of ink, hours of time, millions of dollars . . . (and) unfair results . . . which have senselessly been spent and wasted because Oregon's system for review of actions by governmental bodies is so bad."

Under existing law in land-use cases, for example, there are seven potential avenues for remedy: writ of review, writ of mandamus, declaratory judgment, injunction, appeal to circuit court, appeal to LUBA and appeal to the Court of Appeals. Lawyers tell us that there are even more. We agree with the chief justice that this plethora of possibilities is ridiculous.

The cure seems simple: Install a single form of proceeding for all review of administrative or governmental actions and call it whatever is appropriate. A "petition for review" is Peterson's suggestion, and that seems sensible. That would resolve both the procedural and the jurisdictional questions and clear the way for the appropriate tribunal to rule on the merits of a case.

Peterson wants the 1985 Legislature to deal with this issue and a joint legislative committee is wrestling with possible proposals. "I pray for change," the chief justice says in his opinion. May his prayer be answered.

Witness for Panel I
Submitting written testimony
Is not ~~staying~~.

NESIKA LODGE
COLUMBIA RIVER GORGE
TYEE
MOUNT HOOD

TRAILS CLUB OF OREGON
P.O. BOX 1243
PORTLAND, OREGON

FEDERATION OF WESTERN
OUTDOOR CLUBS

Statement at Hearing on the Columbia River Gorge
Stevenson, Washington Nov. 8 1984

Senator Evans, my name is Mary Mason and I represent the Trails Club of Oregon, a hiking organization based in Portland with a membership of more than 400. We support the Packwood-Hatfield bill. The Trails Club owns a lodge and 40 acres on the Oregon side of the Gorge. Its members have hiked all the trails on both sides of the river. A number have given many hours in making and maintaining them. We, therefore, are well acquainted with the scenic, geologic, botanical, and recreational assets of the Gorge, and with its vulnerability to environmental impact. We take a very personal interest in its preservation. Yet in a larger sense we feel that the creation of a National Scenic Area would not be justified if it did not benefit everyone, those who live here, those who visit, and those who pass through. We feel that the Packwood-Hatfield bill fulfills this objective. Our National parks provide recreational opportunities for millions of people every year from every state. Imagine what would have happened had they not been preserved. Crater Lake ringed with condominiums? Yellowstone scarred with mining claims? Surely the uniqueness and grandeur of the Gorge gives it a high rank among our national wonders. The large number of people who flock to the State parks in the Gorge is sufficient indication that it is a highly productive tourist attraction. A properly managed scenic area would, we believe, preserve the integrity of the Gorge, and its economic stability. The Packwood-Hatfield bill which assigns the role of administration to the Federal Government would, in our judgment, provide a stronger management plan than the one proposed in the Governors' bill

Finally, since the question of ownership of land is at the heart of this controversy, we should remind ourselves that 50 years is about the maximium length of time any one individual possesses property. What is that in the life of the land? Does that not make our tenure of it seem insignificant? Does it not impress upon us the fact that land is valuable in itself, and it is our responsibility and our privilege to preserve it?

Presented by:
Commissioner
Vern Veysey

PUBLIC TESTIMONY TO SENATOR EVANS

November 8, 1984
on
COLUMBIA RIVER GORGE

The first question we must ask in a hearing such as this is, "Is the Gorge a significant enough piece of landscape to warrant being preserved?" If the answer is yes, and all the studies and my own assessment say that it is, then the next part of the question is, "Why"?

Others will elaborate, but here are some major reasons why I feel it should be preserved:

1. Millions of years of geological history can be seen in one glance.
2. Significant remnants of volcanic action which compliment the new St. Helens national monument.
3. Second largest monolith in the world.
4. A variety of waterfalls.
5. But to me it is the spectacular beauty of nature's efforts.

The next question is, "Who should be responsible?" I believe it should be the federal government. Why?

1. Because it is of national significance. At any other level, it would have been a state park or a county park.
2. It transcends six counties and two states. The federal government is the only one that can provide the coordinated management of multiple jurisdictions.
   - Major roads, dams, etc. would not have been built if it were not for an authority that considers the benefit to the nation over that of a local few.

-- Local agreements have been signed and broken and the bi-state legislation became bogged in compromise and disagreement.

3. Local government can exercise zoning controls and should to some extent, but in all fairness to landowners whose use of their property may be restricted, they should be compensated by those who benefit -- the people of our nation.

The only question left then is, "How?" The answer is federal legislation. Such legislation must include:

1. A statement of the significance of the gorge.
2. A definition of the area to be included in the program - I suggest defined by the gorge plan.
3. The involvement of state and local people affected by the legislation.
4. The just compensation for loss of property rights - using revenue sources such as the land and water conservation fund.

This issue has been discussed for many years. There has been a tremendous effort in the last four years with no resolve. Let's get on with what we know is right and what we've always done - protected our unique and special gifts and resources for our future generations.

I urge your support of Federal legislation for the preservation of the Columbia River Gorge.

Written text.

NESIKA LODGE
COLUMBIA RIVER GORGE
TYEE
MOUNT HOOD

TRAILS CLUB OF OREGON
P.O. BOX 1243
PORTLAND, OREGON

MEMBER
FEDERATION OF WESTERN
OUTDOOR CLUBS

Statement at Hearing on the Columbia River Gorge
Stevenson, Washington Nov. 8 1984

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Wine Cellars
Bingen

City of Bingen

MAYOR Charles B. Long
CLERK-TREASURER Icel J. Benson

112 N. Ash
P O Box 607 Bingen, WA 98605
Telephone 509-493-2122

November 8, 1984

Senator Dan Evans
Oversight Hearing
Stevenson, Washington 98648

Subject: Columbia Gorge

Senator Evans:

The City of Bingen, Washington has approximately 650 residents compactly settled along a bench by the Columbia River across from Hood River, Oregon. Expansion of the City boundaries and increase in business or industry is severely limited due to geographic constraints. 80% of the housing in the city is 30 years old or older. The unemployment rate for the last several years has been one of the highest in Washington State. 20% of the retail businesses have closed down in the last 3 years.

The problems noted above have come about for 2 major reasons. 1) The recession in the timber industry, and 2) The threat of Federal Management of the Columbia River Gorge.

The first item is not a specific only for the City of Bingen, but is linked to the general recessive housing industry nation wide. The second item IS a specific for the City of Bingen, since we are located on the Columbia River within the designated area of the "Gorge". This FEDERAL MANAGEMENT threat is limiting investment of capital into businesses in the "Gorge" area, including Bingen. With our limited expansion capabilities, we would like to see capital invested in the vacant buildings in town.

We, the Mayor and Council of the City of Bingen, are firmly convinced that Federal Management of the defined "Gorge" area is a grave mistake. Property managers recognize that the resident owner of a home and/or acreage will care for his investment, but a lessee will not feel as responsible for the investment of another. Klickitat County has an excellent Zoning Ordinance that speaks to the now defined 'critical areas'. The City of Bingen also has a Zoning Code that protects within the city limits.

City of Bingen

Wine Cellars
Bingen

MAYOR Charles B. Long
CLERK-TREASURER Icel J. Benson

112 N. Ash
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Senate Oversight Hearing, Columbia Gorge
Senator Dan Evans
November 8, 1984, Page 2

Any proposed Federal legislation to this date contains provisions that would significantly inhibit growth and development and deteriorate the already uncertain industrial climate that is tenaciously held as their life's blood by the working population of our city.

We further request, Senator Evans, that you take a really open-eyed look at the 'Gorge'. You cannot help but see that the glaring eyesores in the 'Gorge' are Federally caused or sponsored; dams, power lines, gas lines, freeways (complete with blinding lights on the Oregon side), rock pits developed for federal project supplies and railways. We do not portend that these are all 'bad', only that they are already here.

We again wish to stress that 'Federal Management' of any configuration is unnecessary. We, the elected officials that are held responsible for the well being of our constituents are just as capable (being human beings) as any federal agency employee (also a human being) of protecting the quality of life and the scenic beauty of our area.

Thank you for giving us this opportunity to voice our concerns. We are confident that you will see the situation as it is with your own eyes and not as outsiders would like, with distorted vision.

Sincerely,

Charles B. Long, Mayor

Leland Huot, Councilman
Tom Kimbro, Councilman
Elwin Olson, Councilman
Ron Waldkirch, Councilman
Jerry Eccles, Councilman

STATEMENT OF STANLEY BISHOPRICK, CHAIRMAN
PROTECT THE GORGE COMMITTEE

The issues around the future of the Columbia Gorge are complex ones because they involve our local and regional economy. A homeland and culture for many, and equally if not more important, a landscape and scenic treasure of all. We are convinced that those interests are best addressed, not by a dominant federal role in the gorge, but rather through a thoughtful and concerted planning and management process with accountability close to home.

Local stewardship of the gorge has continued for 10 years. It remains a beautiful place. With changes in time, however, new efforts are needed. Yet a federal preemption of local and regional initiative -- in place and growing -- at this time, is unwarranted.

We believe that political leadership at the federal level will welcome an effort to resolve the gorge controversy within the region, and we appeal to them now to permit a timely, responsible process interlocally and at the state level in Oregon and Washington as we shape a plan and management model for the common good.

1. Local processes have maintained the gorge for a century. They should be allowed to continue. Gorge residents have not been shown to be unable to protect the gorge through local means. Logging and tree growing has been going on in the gorge for years and the gorge looks better today than it ever has.

2. If you study the fine print in the two Senate bills #S. 2318 and S. 2319, which were brought up by Senators Bob Packwood and Mark Hatfield, and see for yourselves that no free people in America could live with those government regulations. People that have lived in the gorge all of their lives would be tied up hand and foot.

3. I hope that the local governments on both sides of the gorge will be able to do the necessary job on their own, and I strongly believe that most are willing to do so. Our "Protect the Gorge Committee" is working to get it done. There are other committees up the river being formed and we are going to work together to get the necessary job done. We need all the help and support that we can get to develop the framework for developing an overall management plan for the gorge.

The State of Washington, the local governments, and all other interests in the gorge must be brought together in the common interest of orderly management and not Federally dictated control.

4. Bills S. 2318 and 2319 if passed by the senate will be decided upon by a huge number of Senators and Congressmen who are unfamiliar with the gorge and how it has been so well taken care of to this time. They don't know a thing about it. If these bills pass, the States of Washington and

Oregon will merit no consideration whatever. It will be all Federal Government running the gorge. We don't need any more government bureaucracies. They just cost the public too much, and build up our budget troubles. For example, it we could operate our hospitals, here in Vancouver, without the useless government regulations, we could reduce our daily hospital cost by $62.00 per patient per day, and not reduce quality of care one bit. Look what we could save the taxpayers, as well as the patient, medicade, medicare, and social security, and get rid of a huge government bureaucracy.

The gorge contains approximately 41,000 local inhabitants, three major hydroelectric dams with navigation locks for extensive barge traffic, 82 miles of major interstate highway on one side of the river, a minimum of 115 miles of county roads, 24 miles and disignated scenic highway, 50 miles of logging roads, 220 miles of power and gas transmission lines, 170 miles of two major mainline railroads, 5 sawmills, 2 plywood plants, and 2 chip plants, 2 aluminum reduction plants, one wood products treatment plant, 8 incorporated cities and 15 unincorporated cities, 44 private, state and federal parks and recreational facilities, orchards, farmland, intensivley managed small and industrial woodlands, 4 bridge crossings of the Columbia River, 5 fish hatcheries, 6 port districts, 24 miles of walking rails, including a natural scenic trail, 2 forest service scenic areas and one wilderness area. As you can see see the gorge is not only a scenic area but a major economic transportation corridor.

My comments are based on 66 years of personal knowledge of the gorge by living and working in the gorge as a resident, sawmill worker and logger. I have seen the appearance of the gorge imporve except for some highway work, a dam, and power lines. It is acknowledged that the gorge is a scenic and cultural treasure with high natural resource and recreational values.

The scenic resources are not seriously threatened to justify federal intervention at this time. The Oregon side is protected by the combination of extensive national forest ownership and the guidelines of Oregon's land conservation and development commission. Federal protection proponents' examples of "threats" such as (A) rizor proposed development (24 home sites on 65 acres), (B) huge shopping centers at west end of gorge, (C) big real estate developments, (D) I-205 access, etc. are mostly distortion of facts or assumptions of what may happen. I have been traveling through the gorge for 66 years and the scenic qualities are as good, if not better than ever. Much of the lower bench land in Skamania County is well suited for low density home sites, without detracting from senic values or the character of the area. They can be buried within the timber and not be visible.

The federal government should only do those things that the people cannot do for themselves at the local and state level. Planning and zoning the use of over 200,00 acres of private land is certainly not a federal responsibility. No federal agency is as qualified to plan and zone private land as are the government agencies at local level. The only advantage of federal management is the use of condemnation and decision making authority. Such advantage is seriously tainted by giving sovereign efficiency predecence over democracy. It has not been proven that the states of Oregon and Washington can not do an adequate job in managing the mutiple resources of the gorge in harmony with the conservation and enhancement of visual resources.

Especially since the removal last year by the federal government of 66,600 acres of commerical timberland in the Mt. St. Helens volcanic area designation.

Also to be considered is the potential loss from wilderness withdrawal an addtional 236,000 acres of commercial forest in the Gifford Pinchot and Mt. Hood National Forests tributary to the gorge.

Enactment of Federal Government Legislation will materially increase the cost of managing gorge resources. The extreme complexity of the proposed process together with an additional layer of government ....

WILL INCREASE COSTS AT ALL LEVELS OF GOVERNMENT. WITH THE FEDERAL GOVERNMENT $1.2 TRILLION IN DEBT AND FACING ANNUAL BUDGET DEFICITS IN THE $200 BILLION RANGE, CONGRESS SHOULD BE ASKING THE QUESTION - CAN THES NATIONAL SCENIC PROPOSAL BE DROPPED WITHOUT MATERIAL HARM TO THE NATIONAL INTEREST. THE ANSWER IS AFFIRMATIVE. ANY DIFFERENCE IN RESULTING SCENIC QUALITY BETWEEN MORE FLEXIBLE REGIONAL CONTROLS AND NARROW RIGID FEDERAL CONTROL WILL BE MINISCULE AND NOT WORTH THE INCREASED COST.

WE PRIVATE TIMBER OWNERS CANNOT TOLERATE THIS WASTE AND LOSS CAUSED BY 2.627. WE MUST USE OUR COMMERCIAL FORESTS TO THEIR FULLEST. AS PRIVATE LANDWONERS, WE PLEAD [redacted] OF YOU - - DO NOT REGULATE THE USAGE OF OUR PRIVATE COMMERCIAL FOREST IN THE GORGE UNDER NATIONAL POLICE POWERS. WE BELIEVE THE FOREST PRACTICE ACTS OF WASHINGTON AND OREGON ARE PROVEN SUFFICIENT REGULATION FOR THE WISE MANAGEMENT AND HARVEST OF PRIVATE TIMBER IN THE GORGE. WE FEEL THE GOVENOR'S RECENT PROPOSAL IS A MORE APPROPRIATE VEHICLE FOR BETTER RESOLVING THE CONCERNS OF THE COLUMBIA GORGE. WE DO NOT SUPPORT A NATIONAL SCENIC AREA.

IN THE PAST ONLY ONE SIDE OF THE GORGE ISSUE WAS BEING HEARD. TODAY PEOPLE ARE ASKING WHY FEDERAL CONTROL OVER MORE PRIVATE PROPERTY IN THE GORGE? WHY CAN'T TOURISM BE PROMOTED WITH~~OUT~~ FEDERAL INTERVENTION? WE WOULD LIKE TO POINT OUT THE FOLLOWING FACTS:

FIRST, IS THE SUPPORT FOR FEDERAL CONTROL AS STRONG AS THE PROPONENTS CLAIM. NOT ACCORDING TO THE DATA WE HAVE COMPILED.

1. SKAMANIA COUNTY - NOVEMBER 3, 1981
   87% VOTED AGAINST FEDERAL CONTROL

2. CASCADE LOCKS AREA - JULY, 1982
   96.8% OPPOSE FEDERAL CONTROL
3. PORTLAND METROPOLITAN AREA - OCTOBER, 1982
   INDEPENDENT SURVEY CONDUCTED BY MOORE INFORMATION, INC.
   SHOWED 65% OPPOSED FEDERAL MANAGEMENT

PLUS MANY OTHERS HAVE GONE ON OFFICIAL NOTICE IN OPPOSITION TO FEDERAL CONTROL. NEXT, THE PROPONENTS OF FEDERAL CONTROL SAY THAT THE LOCAL GOVERNMENTS HAVE NO TOOLS TO CONTROL GROWTH. THIS IS TOTALLY FALSE. WASHINGTON AND OREGON HAVE IN PLACE AND ARE USING THE FOLLOWING:

1. PLANNING ENABLING ACTS
2. SUBDIVISION LAWS
3. SHORELINE MANAGEMENT
4. STATEWIDE HEALTH CODES

PLUS, THERE ARE LOCAL BUILDING AND PLANNING REGULATIONS. WHAT SUPPORTERS OF FEDERAL CONTROL MEAN IS "THEY WANT THEIR LOBBYIST TO HAVE CONTROL." THIS BRINGS US TO POINT NUMBER THREE.

FEDERAL CONTROL OF THE GORGE WILL REMOVE THE RIGHT OF LOCAL CITIZENS TO REGULATE THEIR OWN COMMUNITIES. IT WILL PLACE THEIR FUTURE IN THE HANDS OF POWERFUL LOBBYISTS IN WASHINGTON, D.C. IF YOU LOOK AT THE PROPONENTS OF FEDERAL CONTROL YOU WILL SEE THEY HAVE BUDGETS EXCEEDING SEVENTEEN MILLION DOLLARS. THEY ARE CONSIDERED SOME OF THE MOST POWERFUL LOBBYIST IN WASHINGTON, D.C. ONCE THEY GAIN FEDERAL CONTROL THEY WILL DIRECT THE FUTURE OF THE GORGE NOT THE LOCAL CITIZENS. FINALLY, BOTH OREGON AND WASHINGTON HAVE ACTIVE PROGRAMS TO PROMOTE TOURISM. IN ADDITION, GROUPS LIKE THE CHAMBER OF

COMMERCE AND MID COLUMBIA MARKETING ARE FOCUSING ON TOURISM IN THE GORGE. PLUS LOCAL BUSINESSES WILL CONTINUE TO PROMOTE TOURISM TO EXPAND THEIR ECONOMIC BASE. BOTH STATES HAVE ADOPTED HISTORIC RIGISTER ACTS WHICH ALSO ALLOW LOCAL COMMUNITIES TO PRESERVE STURCTURES AND ASSIST TOURISM.

THERE ARE OVER 41,000 PEOPLE LIVING IN THE GORGE. THEY CAME TO THE GORGE TO BUILD THEIR HOMES, START THEIR BUSINESSES, RAISE THEIR FAMILIES AND REGULATE THEMSELVES. THEY LOVE THEIR COMMUNITIES AND THE LAND. THOSE OF US WHO HAVE HEARD THEIR VOICE BELIEVE IN THEIR RIGHT TO GOVERN THEMSELVES. WE BELIEVE THEY UNDERSTAND WHAT THE GORGE MEANS TO ALL OF US. WE WILL CONTINUE TO CARRY THEIR MESSAGE TO THE NATION.

WE MUST ALL RECOGNIZE THAT FURTHER FEDERAL CONTROL IN THE GORGE WILL NOT ELIMINATE ONE SINGLE GOVERNMENT AGENCY.. IT WILL ONLY ADD ANOTHER LEVEL OF BUREAUCRACY. MORE FEDERAL OWNERSHIP OF THE GORGE MEANS LESS PRIVATE OWNERSHIP. MORE FEDERAL OWNERSHIP OF PRIVATE LANDS MEANS MORE COST TO THE TAXPAYERS. WE URGE YOU TO LET THE CITIZENS OF THE GORGE CONTINUE TO DO WHAT THEY HAVE DONE SO WILL IN THE PAST - GOVERN THEMSELVES.

THE VAST MAJORITY OF PROPONENTS FOR FEDERAL CONTROL ARE FROM THE STATE OF OREGON. THEIR SIDE OF THE GORGE IS ALREADY SUBJECT TO ADEQUATE STATE AND FEDERAL CONTROL, SO THEY ARE IMPATIENT WITH PROGRESS IN WASHINGTON STATE. AN ORGANIZED EFFORT IS UNDERWAY IN WASHINGTON STATE TO STRENGTHEN LAND

USE CONTROLS IN THE GORGE. THE THREE INVOLVED COUNTIES HAVE AGREED TO COOPERATE IN GORGE PLANNING PROCESSES, AND TO SUPPORT ESTABLISHMENT OF A WASHINGTON COLUMBIA GORGE COMMISSION WITH OVERSIGHT AUTHORITY. ON MARCH 15, GOVERNORS ATIYEH AND SPELLMAN ISSUED A JOINT STATEMENT SUPPORTING THE ESTABLISHMENT OF A SINGLE COLUMBIA GORGE COMMISSION AS A REGIONAL AGENCY WITH AUTHORITY TO PROTECT THE NATURAL, SCENIC, AND CULTURAL RESOURCES OF THE GORGE.

IF THE VOICE OF THOSE WHO LIVE IN THE COLUMBIA GORGE IS HEARD ABOVE ALL THE RHETORIC BEFORE THE INTRODUCTION OF THIS LEGISLATION AND THAT RHETORIC YET TO COME, WE BELEIVE ONE SIMPLE MESSAGE WILL BE HEARD. THAT MESSAGE SIMPLY SAYS, "WE TOO, WANT TO PRESERVE THE SCENIC AND NATURAL VALUES AND QUALITY OF LIFE THAT ARE PRESENT IN THE COLUMBIA RIVER GORGE AREA, BUT WE DO NOT WANT TO BE TOLD HOW WE PRESERVE THESE VALUES BY SOMEONE WHO IS 3,000 MILES AWAY."

THIS OREGON AND WASHINGTON LEGISLATION NOW BEING PUT TOGETHER TO RESOLVE ALL OF THE EXISTING AND POTENTIAL DIFFERENCES BETWEEN VARIOUS AFFECTED JURISDICTIONS NOW OPERATING IN THE GORGE. HOW IS THIS TO BE ACCOMPLISHED? IF YOU READ THE FINDINGS, IT

SAYS THAT A PARTNERSHIP IS TO BE FORMED BETWEEN THE FEDERAL, STATE AND LOCAL GOVERNMENTS AND FOCUS THE FINAL DECISION MAKING AUTHORITY IN A SINGLE ARBITER.

IS THIS THE WAY DEMOCRACY WORKS? WE DO NOT BELIEVE THIS IS WHAT WAS INTENDED BY THE FOUNDING FATHERS OF THIS GREAT NATION. WE BELIEVE THAT REASONABLE MEN CAN DISAGREE AND STILL REACH A DECISION WITHIN LAWS THAT GOVERN THIS COUNTRY.

THE INDUSTRIAL FORESTRY ASSOCIATION REPRESENTS LARGE AND SMALL INDUSTRY FOREST LANDOWNERS AND PURCHASERS OF PUBLIC TIMBER IN THE DOUGLAS FIR REGION OF THE PACIFIC NORTHWEST. IN THE COLUMBIA RIVER GORGE THEY REPRESENT 12 FOREST LANDOWNGING COMPANIES, 11 OF WHICH ALSO PURCHASE PUBLIC TIMBER. COLLECTIVELY, THESE LANDOWNERS REPRESENT 37,000 ACRES OF FOREST LAND ON BOTH SIDES OF THE RIVER--APPROXIMATLEY ONE-THIRD OF THE TOTAL FORESTLAND WITHIN THE PROPOSED NSA. OWNERSHIP SIZE VARIES FROM APPROXIMATLEY 12,000 ACRES TO 80 ACRES, SOME OF THE LAND THEY OWN HAS BEEN LOGGED TWICE AND HAS BEEN PRIVATELY HELD FOR 50 YEARS OR MORE.

FOREST PRODUCTS HISTORY IN THE GORGE

IN THE WEST END OF THE GORGE LOGGING WAS STARTED IN THE BRIDALVEIL AREA WITH OXEN AROUND 1880. IN THE EAST END NEAR THE DALLES AND BINGEN, LOGGING WAS CONDUCTED NOT ONLY FOR BUILDING MATERIALS, BUT FOR FIREWOOD TO FEED THE BOILERS OF THE EARLY STEAMERS THAT RAN ON THE COLUMBIA. UNDERWOOD HILL, NEAR BINGEN, HAS BEEN HARVESTED AT LEAST TWICE WITH THE LAST HARVEST IN 1905

THE POINT IS THAT TIMBER MANAGEMENT ON PRIVATE LANDS IS A PART OF THE HISTORY AND HERITAGE OF THE GORGE AND A LONG RECOGNIZED USE WHICH IS COMPATIBLE WITH OTHER USES OF THE GORGE.

A PROFILE OF THE EXISTING INDUSTRY IN THE GORGE

THE FOREST INDUSTRY THAT EXISTS TODAY IN THE GORGE HAS GROWN INTO A MULTIMILLION DOLLAR INDUSTRY. AN IFA SURVEY CONDUCTED RECENTLY SHOWS THAT 13 COMPANIES IN AND ADJACENT TO THE GORGE EMPLOY 4,400 DIRECT INDUSTRY JOBS WITH A TOTAL PAYROLL OF $93,406,000 ANNUALLY OF WHICH $15,032,000 ARE PAID OUT IN PAYROLL TAXES TO THE STATE AND FEDERAL GOVERNMENT. PLEASE REMEMBER THAT WE ARE ONLY COUNTING RESPONDENTS TO OUR SURVEY. THERE ARE OTHERS, PRINCIPALLY IN LOGGING, WHO DID NOT RESPOND, WHEN ONE TAKES INTO ACCOUNT THE SECONDARY JOB MULTIPLIER FOR

SERVICE AND TRADE JOBS, SUCH AS THE BANKER, GAS DEALER, EQUIPMENT DEALER, ETC., AN ADDITIONAL PAYROLL OF $79,112,000 FOR 8,800 PEOPLE IS SPENT BOTH LOCALLY AND THROUGHOUT THE TWO STATES. IT IS APPARENT THAT NOT ONLY THE LOCAL COMMUNITIES ARE DEPENDENT ON THE FOREST PRODUCTS INDUSTRY, BUT ALSO THOSE WHO LIVE OUTSIDE THE GORGE.

EVEN THOUGH EACH COMPANY IS AN IMPORTANT ENTITY UNTO ITSELF, THE WOOD RESIDUALS THESE COMPANIES PRODUCE IN THE FORM OF CHIPS AND HOG FUEL ARE OF VITAL IMPORTANCE TO THE AREA'S PULP AND PAPER INDUSTRY--ESPECIALLY CROWN ZELLERBACH'S MILL AT CAMAS.

Any restrictions on forest lands by a plan developed by any government agency for private land we think will be biased toward their management practices in the gorge. The forest service "visual managment" guidelines in the gorge are simply preservation or no cutting. These guidelines may be alright for the federal government, but our lands have been already visually impacted by powerlines, gas lines, road right-of-ways, etc. Physically there are enough problems that already exist to increase costs. We don't need visual manaagement restrictions to increase rotation ages and reduce yields.

Plant investment costs by the industry identified in our survey, not including the Crown Zellerbach plant at Camas, which is undergoing a $425,000 modernization, which will keep the mill competitive and secure the economic future of Camas, have..............

BEEN ABOUT $88,254,000. ALL THE PLANTS INSIDE THE NSA BOUNDARY ARE SUBJECT TO ANY FEDERAL GOVERNMENT CONTROL IMPOSED BY THE MANAGEMENT PLAN AS WELL AS OUR LANDS. WE DO NOT THINK IT NECESSARY TO PLACE APPROXIMATELY $200,000,000 OF INVESTMENT IN LAND, TIMBER AND FACILITIES IN THE HANDS OF THE FEDERAL GOVERNMENT WHEN ALL THE REGULATIONS THAT CURRENTLY EXIST LOCALLY AND WITHIN THE STATE LAWS ASSURE NECESSARY PROTECTION OF THE GORGE. THEY WORKED IN THE PAST AND WILL CONTINUE TO DO SO IN THE FUTURE.

THE PROPOSED CONDEMNATION CAP OF 10% ON THE TOTAL GROSS AREA WITHIN THE NSA COUNDARIES IS MISLEADING. WITHIN THE NSA, APPROXIMATLEY 150,000 ACRES ARE IN LAND USES THAT WILL NOT BE SUBJECT TO CHANGE, I.E., POOLS BEHIND DAMS, INTERSTATE AND STATE HIGHWAYS, POWER AND GAS TRANSMISSION LINES, INCORPORATED AREAS.

WE BELIEVE THE GOVERNORS PROPOSAL PROVIDES THE FLEXIBILITY TO SAFEGUARD PRIVATE LANDS AND PROPERTY RIGHTS WITHOUT UNDUE FEDERAL INTERVENTION.

I WOULD LIKE TO QUOTE A FEW WORDS FROM AN ORGANIZATION CALLED "WASHINGTON WOMEN IN TIMBER", WHICH SUPPORTS OUR POSITION.

WASHINGTON WOMEN IN TIMBER FAVORS CONSERVATION OF RESOURCES IN THE COLUMBIA GORGE. EXAMPLES OF THE RESOURCES INCLUDE SCENIC BEAUTY, TIMBER, RECREATION AND HUMAN CULTURAL ACTIVITIES. WE WOULD NOT FAVOR ANY SINGULAR RESOURCE OVER THE EXCLUSION OF OTHER RESOURCES. NOR WOULD WE ENDORSE ANY PROPOSAL SUPPORTING THE PRESERVATION OF THE COLUMBIA GORGE. WASHINGTON WOMEN IN TIMBER SUPPORTS LOCAL LAND USE PLANNING IN THE GORGE.

THE PORTLAND CHAMBER OF COMMERCE HAS AGREED TO THE FOLLOWING: PROPOSAL BY GOVERNORS OF OREGON AND WASHINGTON CONCEPT FOR MANAGEMENT OF THE COLUMBIA RIVER GORGE BY HERB WILLISON, MEMBER, FORESTRY/WOOD PRODUCTS COMMITTEE.

THE FORESTRY/WOOD PRODUCTS AND RECREATIONAL RESOURCES COMMITTEES OF THE PORTLAND CHAMBER HAVE REVIEWED THIS, RECOMMENDED IT, AND THE CHAMBER BOARD APPROVED IT ON MARCH 18, 1983 AS THEIR POSITION.

THE CONCEPT HAS SIX PRINCIPLES:

1. ESTABLISH A REGIONAL COMMISSION WITH THREE FEDERAL REPRESENTATIVES (U.S. FOREST SERVICE, BONNEVILLE POWER, U.S. ARMY CORPS. OF ENGINEERS) AND TEN MEMBERS APPOINTED BY EACH GOVERNOR 23 MEMEBERS IN ALL.
2. PROVISION AT FEDERAL AND STATE LEVELS FOR AGENCIES TO COMPLY WITH ACTIONS STIPULATED IN THE MANAGEMENT PLAN.
3. A MAANGEMENT PLAN DEVELOPED AND APPROVED BY THE COMMISSION WITH INPUT FROM THE PUBLIC. THIS WOULD PROVIDE FOR LAND USE PRINCIPLES TO ACHIEVE A UNIFIED SET OF GOALS FOR THE GORGE.
4. FEDERAL GOVERNMENT AND THE STATES PROVIDE FUNDS FOR DEVELOPING THE PLAN, AND PURCHASE SOME PROPERTIES DEFINED AS CRITICAL.
5. TAKE A "HANDS OFF" ATTITUED TOWARD EXISTING HOMES, BUSINESSES AND COMMUNITIES.
6. ENCOURAGEMENT OF TOURISM AND ECONOMIC DEVELOPMENT.

AND NOW MY FINAL REASONING:

REASONS I OPPOSE THE FEDERAL CONTROL IN THE C.R. GORGE

1. THE SECNIC RESOURCES OF THE GORGE ARE NOT SERIOUSLY THREATENED. PROPONENTS EXAMPLES OF "THREATS" SUCH AS, (A) RIZOR DEVELOPEMNT, (B) HUGE SHOPPING CENTERS AT WEST END OF GORGE, (C) BIG REAL ESTATE DEVELOPEMNTS, (D) I-205 BRIDGE ACCESS, ETC. ARE MOSTLY DISTORTION OF FACTS OR ASSUMPTIONS OF WHAT MAY HAPPEN. PROPONENTS BLITZ THE PUBLIC WITH THIS PROPOGANDA. HOWEVER, WE SHOULD BE PREPARED FOR CHANGE, SO THAT GROWTH AND MANAGEMENT OF ALL RESOURCES IN THE GORGE CAN BE ACCOMODATED IN HARMONY WITH THE SCENIC RESOURCE. THIS CAN BE ACCOMPLISHED WITH COUNTY AND STATE ACTIONS.

2. THE FEDERAL GOVERNMENT SHOULD ONLY DO THOSE THINGS THAT THE PEOPLE CAN NO DO THEMSLEVES AT THE LOCAL AND STATE LEVEL. NOT UNTIL IT IS PROVEN THAT THE STATE OF WASHINGTON CAN NOT DO AN ADEQUATE JOB, SHOULD FEDERAL LEGISLATION BE CONSIDERED.

3. WITH THE FEDERAL GOVERNMENT $1.2 TRILLION DOLLARS IN DEBT AND FACING ANNUAL BUDGET DEFICITS IN THE $200 BILLION RANGE, CONGRESS WHOULD BE ASKING THE QUESTION - "COULD THE NATIONAL SCENIC PROPOSAL BE POSTPONED OR DROPPED WITHOUT MATERIAL HARM TO THE NATIONAL INTEREST?" ZONING OF PRIVATE LAND IS NOT A FEDERAL RESPONSIBILITY, AND I DO NOT THINK ANY FEDERAL AGENCY IS QUALIFIED TO ZONE PRIVATE ALND.

4. FEDERAL CONTROL WILL INCREASE COSTS FOR ALL LEVELS OF GOVERNMENT.

5. THE GORGE HAS OTHER RENEWABLE RESOURCES, THE MANAGEMENT OF WHICH, ARE IMPORTANT TO THE ECONOMIC WELFARE OF THE 41,000 PEOPLE WHO LIVE IN THE GORGE AND TO THE PUBLIC IN GENERAL. (FORESTRY, AGRICULTURE, RECREATION, WILDLIFE, FISHIERIES, WATER.

6. THE GORGE IS PROBABLY THE MOST IMPORTANT TRANSPORTATION CORRIDOR IN THE WEST. (HIGHWAYS, RAILRAODS, RIVER NAVIGATION, PORT, POWER TRANSMISSION, AND COMMUNICATIONS). CURTAILMENT OF IMPROVEMENT OR NEW DEVELOPMENT OF SUCH FACILITIES IS MORE LIKELY UNDER FEDERAL CONTROL THAN UNDER STATE CONTROL.

7. INCREASED TOURISM IS NEEDED IN THE GORGE TO PORMOTE THE ECONOMY. TOURIST NEED MORE THAN LOOKING AT SCENERY TO CAUSE THEM TO STAY LONGER. A NATIONAL SCENIC SESIGNATION WOULD VERY LIKELY PRECLUDE BUILDING SUCH THINGS AS RUBLIC TRAMWAYS TO VIEWPOINTS. THE PROPONENST OF FEDERAL CONTROL ARE THE SAME GROUPS WHO OPPOSED TRAMWAYS IN THE PAST.

8. SCENIC PROTECTION MEANS DIFFERENT THINGS TO DIFFERENT PEOPLE. TO THE HARD-CORE ENVIRONMENTALISTS IT MEANS TO LEAVE THINGS NATURAL AND DO NOT TOUCH. TO MOST PEOPLE IT MEANS TO MANAGE THE AREA SO MAN'S ACTIVITIES DO NO SIGNIFICANTLY DETRACT FROM THE SCENIC VIEW. THERE ARE DIFFERENT QUALITY LEVELS OF SCENERY, AND DIFFERENT SENSITIVITY LEVELS REGARDING VISUAL COMPATABILITY WITH MANAGEMENT ACTIVITIES. THESE FACTORS WHEN PROFESSIONALY RECOGNIZED CAN PROVIDE CONSIDERABLE FLEXIBILITY,

and allow a decision maker to look at several management alternatives for managing in harmony the visual resource and other resources of developments. because physical characteristics of the gorge visual resource has such great variety, the coordination of resource management and development with maintenance of scenic values is relatively easy for the majority ot the area.

proposals for federal legislation have not discussed or defined "scenic protection". therefore, I can only assume that "scenic protection" will mean that scenic views must be left natural. in which case federal legislation will be unduly rigid, and the impact on other resources and development of all types will be great. this will severly hurt the economy of the area.

9. flexibility is needed to harmoniously manage all the resources in the gorge, and bacause of the tremendous physical variation in topography there must be flexibility in zoning. federal legislation will be more rigid than state legislation because environmental power lobbies control federal legislation. proposed "conservation" legislation in the past decade has been changed to "preservation" legislation in final bills. example is Mt. St. Helens legislation.

10. the average citizen will often ask "who can do the best job". This question can only be answered after defining "protect the secnery", and stating the end objective. If you want the gorge to be an untouched natural scenic area, then

FEDERAL CONTROL WOULD BE BEST. IF YOU WANT TO MANAGE ALL GORGE REWOURCES ON A MULTIPLE-USE BASIS, MAINTAIN OR IMPROVE THE ECONOMY, AND STILL RETAIN ACCEPTABLE SCENIC QUALITIES, THEN STATE AND LOCAL CONTROL IS BEST.

11. AS A MINIMUM BEFORE FEDERAL LEGISLATION SHOULD BE CONSIDERED, THERE SHOULD BE MADE A VISUAL RESOURCE INVENTORY, DEVELOP MANAGEMENT ALTERNATIVES BASED ON DEFFERENT SCENIC QUALITY LEVELS, AND MAKE A TRADE-OFF ANALYSIS OF THE DIFFERENT ALTERNATIVES. THEN THE PUBLIC WOULD HAVE SOME FACTS UPON WHICH TO BASE A DECISION, OTHER THAN EMOTION.

Stanley Bishoprick

Written testimony
by witness who couldn't
stay - Panel R

PUBLIC TESTIMONY
FOR PROTECTION OF THE
COLUMBIA RIVER GORGE
TO
SENATOR DANIEL J. EVANS
SENATE ENERGY AND NATURAL RESOURCE COMMITTEE

NOVEMBER 8th, 1984

BY:

ELIZABETH A. WILLIS
EXECUTIVE DIRECTOR
WASHINGTON COUNCIL, AIA

My name is Beth Willis. I'm the Executive Director of the Washington Council, American Institute of Architects. On October 18th, 1982, on behalf of three organizations that I represent, I gave testimony which I would like to re-affirm today. Two years have passed since that testimony was given. It is more imperative than ever that action be taken to enact legislation as embodied in S.627 to protect the world class landscape known as the Columbia River Gorge.

October 18, 1982

TO: Mayor Jim Justin and City Council
Vancouver, Washington

RE: Public Testimony - Protection of the
Columbia River Gorge

Mayor Justin and City Council members. My name is Beth Willis, I am the Executive Director of the Washington Council, American Institute of Architects. I am here tonight wearing three hats - representing three architectural entities; The American Institute of Architects, the Northwest Regional Council of Architects and the Washington Council.

In February of 1982, the Northwest Regional Council, AIA endorsed the Columbia Gorge resolution as presented by the Portland Chapter, AIA. In June 1982, The American Institute of Architects at their National convention also adopted this resolution. The Resolution states:

WHEREAS, The Columbia River Gorge is a national treasure enjoyed by generations of citizens for its scenic and recreational values; and

WHEREAS, the Columbia River Gorge is presently threatened to a greater extent then ever before by increasing unplanned growth and development; which may lead to irreparable damage to its landscape, unique plant and animal life and scenic grandeur; and

WHEREAS, the existence of more than fifty separate governmental bodies in two states, attempting to manage its resources, has resulted in poor coordination and inadequate protections for the Gorge; and

WHEREAS, the support for preservation of the Gorge as a national resource comes from citizens in Oregon, and Washington, citizens inside and outside the Gorge and citizens throughout the country; and

WHEREAS, a number of studies performed by various levels of government have articulated the value of the Columbia Gorge as a national resource and have laid the ground work for long range preservation; and

WHEREAS, an immediate and effective regional solution must be enacted to protect this magnificent resource for future generations, while providing for a maximum of local control and input;

RESOLVED that the AMERICAN INSTITUTE OF ARCHITECTS proclaims its support for prompt inactment of a National Scenic Area designation for the Columbia Gorge, and does hereby encourage members of Congress to establish such a designation.

Governor Spellman's Select Committee on the Columbia River Gorge of 1981 presented local jurisdictions with a foundation from which to work. The firm of Jones and Jones, landscape architects provided local jurisdictions with a detailed land evaluation. With the completion of these two reports, it appears that the state and our Congressional delegation are waiting for some action by local jurisdictions involved with the Gorge.

Senator Gorton has stated "This state has done nothing in the past year... local governments have done very little... if state and local action is not forthcoming early next year,... we will see some congressional action."

The Washington Council, American Institute of Architects would like to encourage the City of Vancouver to take from the Governors Select Committee on the Columbia River Gorge the charge of publicly acknowledging the special character of the Gorge and of accepting the responsibility of being lead steward of the Gorge, not only for the residents of Vancouver, but also for the state and the nation.

September 3, 1982

Governor John Spellman
Legislative Building
Olympia, WA 98504

Dear Governor Spellman;

The Washington Council, American Institute of Architects is pleased to join with the American Institute of Architects, Northwest Regional Council of Architects, and Oregon Council of Architects in supporting the Columbia River Gorge Act of 1982.

The Columbia River Gorge contains magnificant scenic, natural and recreational values of national significance. It is a unique historical, geographical, biological and cultural area. The Gorge contains many threatened and endangered species of plants and animals.

The Gorge is threatened by a lack of coordinated management among the various local, state and federal agencies having jurisdiction. The Gorge is also threatened by the lack of support and interest of the federal and state officials of Washington State.

Therefore the Washington Council, American Institute of Architects supports an increase of support and interest in the Columbia Gorge Act of 1982 by the Washington Congressional delegation.

The Washington Council supports the establishment of an effective partnership between federal, state and local governments for the development of a single management plan for the Columbia Gorge. Washington Council encourages a supplement to local and state plans to protect the existing character of the Gorge while protecting critical lands and allowing development only when consistent with preservation of existing scenic, natural and cultural values.

Sincerely,

Dale S. Brookie, AIA
President Washington Council, AIA

Washington
Council
American
Institute
of
Architects

June 28, 1982

Mr. George Bush
Vice-President of the United States
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Mr. Vice President:

With great pleasure the Washington Council, American Institute of Architects welcomes you to the Northwest during the month of July. Twenty architects will be joining you for dinner the evening of the eighth of July in Seattle and hopefully at the reception I will be able to make a quick comment regarding the Columbia River Gorge.

As I have the pleasure of representing the American Institute of Architects, Northwest Regional Council, American Institute of Architects and Washington Council, American Institute of Architects you may be aware of the AIA's resolution endorsed at the National Convention of the AIA which I have attached.

We are very concerned over the future development in the Columbia River Gorge. We support the legislation recently introduced as the Columbia River Gorge Act of 1982 (S-2318, HR-6026, HR-6002) The Gorge deserves federal protection and we request your consideration of support.

Again, I look forward to speaking with you in Seattle.

Sincerely,

Elizabeth A. Willis, Executive Director
Washington Council, AIA

cc: Bill Church
Nancy Russell
Doug Jewett

McCleary Mansion Suite 6
111 21st West
Olympia, Washington 98501
(206) 943-6012

CLARK · SKAMANIA FLYFISHERS
Save A Natural Resourse Release All Wild Fish
CLARK · SKAMANIA FLYFISHERS
P. O. BOX 644
VANCOUVER, WA 98666

November 2, 1984

Committee on Energy and Natural Resources
Public Lands Subcommittee
U.S. Senate Office Bldg.
Washington, D.C. 20510

Attention: Senator Dan Evans

Subject: Columbia River Gorge Legislation

The Clark-Skamania Flyfishers would like their views included in the hearing record on Columbia River Gorge Legislation to be held in Stevenson, Washington on November 6, 1984. It is unlikely that any of Clark-Skamania Flyfishers (CSFF) will be in attendance at those hearings due to conflicting schedules, or due to the discomfort of having attentded unruly fishery related hearings held in Stevenson in the past that allowed no opportunity for any views opposing a few loud locals who took immediate control of testemonial time (as happened in Stevenson during the Washington Dept. of Game's Wind River Management Hearings in January of 1981). In that respect, Stevenson was a very poor choice for any type of hearing that expects to maximize public testimony on all of the varying sides of the Columbia River Gorge issue--being the least-neutral community in the Gorge area.

The CSFF would like to go on record as supportive of a Columbia River Gorge management decision that will offer the best possible habitat protection for wild spawning salmonids of all species native to the area (chinook, coho, and possibly chum salmon as well as steelhead, sea-run cutthroat, and resident trouts). Our 60 member organization relies heavily on the Columbia River Gorge and tributaries to provide angling recreation, and it was one of the key formative designs of our organization to do as much as possible to enhance and protect local (Clark-Skamania Counties) fisheries as well as use them for our recreation. The CSFF has spent a lot of time, effort, and money toward both the enhancement and protection of several Gorge tributaries that has won the respect of the Forest Service, Washington Dept. of Game, and Washington Dept. of Fisheries. For these efforts on Gorge tributary fisheries the CSFF was awarded the highest national conservation honor from the Federation of Fly Fishermen in 1983--The McKenzie Cup.

Among the most time consuming actions that the CSFF has taken to protect the Gorge tributaries has been the filing of Federal Energy Regulatory Commission legal interventions in our attempts to slow-down, or to halt, low-head hydro projects that would have serious fishery impacts. Two of the FERC interventions that the CSFF have filed concern low-head hydro projects planned for Panther Creek--a major spawning tributary of Wind River near Stevenson, Washington. These two projects (Pro. No. 6771-000, and Pro. No. 7360-000 as filed through FERC) typify the environmental problems being faced within the Columbia River Gorge in that a very small number of individuals who happen to control the "purse strings" of the business and political community are reaping the growing personal benefits of an accelerated Gorge-area development. Both of the hydro projects planned for Panther Creek involve a partnership that includes Mr. Ed Callahan--the one Skamania County Commissioner who has been so vehemently opposed to any form of Federal or State jurisdiction in Columbia River Gorge management decisions. As might be expected, Mr. Callahan was vocally opposed to the Washington Dept. of Game's fishery decision to manage Wind River (on which Panther Creek is a major steelhead spawning tributary) entirely for wild summer run steelhead. It must be noted that "wild management" is entirely dependant on full utilization of a stream system's healthy and available spawning habitat--a criteria that Wind River fully meets, but would not with the elimination of Panther Creek.

The CSFF feels that keeping the small tributaries to the Columbia River Gorge area in full wild salmonid fish production is vital. It's streams such as Lawton Creek, Woodward Creek, Hamilton Creek, Rock Creek, and so on up the Gorge that provide the fiber for historical, and present, salmonid fish stock diversity. These streams place in wild stock fishery management on the Columbia River is now more important than at any time in history due to their being below most of the many dams on the Columbia River system. It is the diverse and varied stocks of salmonids that return to these small streams, as well as the more reknowed large streams, from which future hatchery and wild stock programs will have to develop to bring back a fish stock diversity to the Columbia River in enhancement plans already in early implementation through the Northwest Power Act's Fish and Wildlife Plan.

In recent years the anadromous fish runs to two of these important creeks have been lost due to developments at the west end of the Gorge. Gibbons Creek was made impassable with construction of a dike and culvert system built for the convenience of Camas-Washougal Port expansion rather than for fish passage. Duncan Creek's anadromous fish production was similarly lost by the Skamania Landing development decision to dam the creek in order to provide the more saleable appeal of lake-side residence and recreation. Both Duncan and Gibbons Creeks had important runs of winter steelhead, sea-run cutthroat, and coho salmon--a loss of individual fish stocks that might have been able to provide genetic options for the Columbia River fishery future, options that are dwindling with each passing year. While both of these streams could be restored (Gibbons Creek most likely will be with the recent purchase of the Steigerwald Wetlands) with anadromous fish, it will only be done so at enormous costs that could have been very cheaply averted, and it will be many generations before each stream can again develop it's own unique genetically "native" strain of fish.

In light of the increasing development pressures facing the Columbia River Gorge, and in light of the local officials' general disinclination to provide fishery habitat protection guidelines, and in light of increasing low-head hydro interest throughout the region, the CSFF feels that the only possible method of providing adequate fishery protection in the Columbia River Gorge is through Federal Management by implementing a Wild and Scenic status for major Columbia Gorge tributaries from, and inclusive, the mouths of the Washougal and Sandy Rivers east to Maryhill/Stonehenge and managing the greater Gorge Area, including as much of the entering small tributaries as possible, as a National Scenic Area.

The CSFF membership are not outsiders on the Gorge Issue with several of our members living, and, or owning property, within those areas that we would like to see under Federal Jurisdiction (my own home on the Washougal River would be so included). Virtually all of our membership spends countless hours fishing and doing fishery/stream habitat work on the Gorge tributaries, and certainly our very organization is dependant on the threatened Gorge fisheries. Only a National Scenic tag that includes tributary protection seems capable of ensuring any meaningful fishery promise that would mutually benefit sport, commercial, and tribal user groups on the Columbia River, and while we endorse and accept a mutual, and equal, sharing of the fishery resource with the other user groups we can not accept any further habitat degradations that will further jeopardize the national fishery tragedy that has become--THE COLUMBIA RIVER.

Sincerely,

Bill McMillan
Conservation/News Editor
The Clark-Skamania Flyfishers

cc: The Columbia Gorge Coalition
The Friends of the Gorge

FTR

JOHN SPELLMAN
Governor

JAN TVETEN
Director

STATE OF WASHINGTON
WASHINGTON STATE PARKS AND RECREATION COMMISSION
7150 Cleanwater Lane, KY-11 • Olympia, Washington 98504 • (206) 753-5755

November 6, 1984

72-4450-0344

Honorable Daniel J. Evans
Public Lands and Reserved Water Subcommittee of the
Environmental and Public Works Committee
United States Senate

Re: Columbia Gorge Preservation

Dear Senator Evans:

The Washington State Parks and Recreation Commission has historically supported efforts to preserve the scenic and recreational character of the Columbia River Gorge and its environs. The Commission operates four park areas as follows - Reed Island, Beacon Rock, Horsethief Lake and Maryhill.

Reed Island and Beacon Rock are fee owned, with Horsethief Lake and Maryhill operated in cooperation with the U.S. Army Corps of Engineers. The Gorge Scenic and Recreation Highway is administered jointly by the Parks Commission and the Washington State Department of Transportation.

The importance of recreation to both the preservation of the Gorge and to meet recreation demands has caused the Commission to cooperate closely with the U.S. Army Corps of Engineers, the Oregon and Washington Columbia River Gorge Commissions and the National Park Service in studying Gorge preservation and the availability of river access and recreation sites within the entire Gorge and adjacent areas.

The only major undeveloped site of river front recreation opportunity not now under Commission administration on the Washington shore, the Home Valley site, will soon be developed by Skamania County in cooperation with the Corps of Engineers.

While the Commission has no legislative directive to engaged in Gorge preservation at other than state park locations, Parks has been and is willing to continue to work with all local, federal and state governmental agencies to achieve any preservation plan adopted into law.

Sincerely,

Jan Tveten

Jan Tveten
Director

cc: Commissioners

JOHN SPELLMAN
Governor

FRANK LOCKARD
Director

STATE OF WASHINGTON
DEPARTMENT OF GAME
600 North Capitol Way, GJ-11 • Olympia, Washington 98504 • (206) 753-5700

FTR

November 7, 1984

Patrick W. Dunn, Director
Department of Community Development
Ninth and Columbia Building
Olympia, Washington 98504

Dear Mr. Dunn:

The Department of Game is in favor of Federal legislation to protect the natural, scenic, and historical values of the Columbia River Gorge. The Gorge contains many valuable and unique habitat areas for fish and wildlife that could be protected by the creation of a Columbia Gorge National Scenic Area.

I would appreciate being included in any interagency effort to influence the boundaries of the proposed National Scenic Area and to look at alternatives for managing the Gorge. At that time, my staff will be able to sit down and pinpoint specific habitat areas with special management or protection needs.

Thank you for the opportunity to make our general position known at this time.

Sincerely,

THE DEPARTMENT OF GAME

Frank R. Lockard
Director

FRL:dpn

RESOLUTION: IN THE MATTER OF THE COLUMBIA RIVER GORGE.

WHEREAS, The Columbia River Gorge has been recognized by its residents and the citizens of the state as a unique area of scenic and aesthetic beauty, with a divergence of amenities such as recreation, employment, historic culture and a mainstream of economic development and transportation; and,

WHEREAS, The Columbia River Gorge has been and is the focus of controversy concerning the future of the Gorge as a scenic and recreational area and the development of the area for the economic and social viability of its residents; and,

WHEREAS, The Washington State Legislature has twice addressed the future of the Gorge through RCW 43.97 and 43.97A which established a commission that would recommend policies to the legislature, the governor, and the local governments as to the Gorge's future; and,

WHEREAS, The United States Congress has also addressed the Gorge through two proposed pieces of legislation which would call for a commission of federal agencies, state government citizens, and local government to establish land use policies and goals for the Gorge's future; and,

WHEREAS, The Washington State Association of Counties reaffirms its position as well as the position of the National Association of Counties that counties have an important role to play in the planning and management for uses of existing and potential future public lands, as evidenced by the facts that:

(a) Counties have the land use planning and zoning authority in the unincorporated areas where existing or future public lands exist;

(b) The policies, plans and activities for public lands impact adjacent private and public land use activities;

(c) County officials have been elected to represent and express the economic, social, and environmental concerns of local citizens directly affected by public land management, designation, and acquisition decisions, and

(d) Policies and plans of the federal and state agencies must be consistent with the officially adopted land use plans and policies of the affected local governments; and,

WHEREAS, The Washington State Association of Counties and the National Association of Counties both hold that federal property holdings should be held at a minimum; that any further acquisition be subject to Congressional approval with the concurrence of the affected local governments; that federal land policy decisions dealing with the environment be carefully weighed and balanced to avoid sacrificing local economic and social goals and that consistency between federal, state and local land use plans be maintained;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Association of Counties request that any management proposal for the Columbia River Gorge, be it by federal or state legislation, must:

(1) Affirm and protect the right of Gorge residents to control their own affairs through an elected and representative local government;

(2) Recognize the Gorge's importance not only as a transportation corridor, but as a producer of hydroelectric power, agricultural and wood products, and jobs for a sizable population inside and outside the Gorge, and ensure the continuance of a diversified and viable economic base;

(3) Affirm local adopted land uses and codes as appropriate, and require state and federal management activities to be consistent with same;

(4) Recognize existing effective land use and resource-protection mechanisms, and retain local governments' primary role in adopting land use plans and approving land use activities; and,

(5) Establish a national policy for scenic areas.

ADOPTED by the Western and Puget Sound
Districts of the Washington State
Association of Counties this 12th day
of October, 1984.

○